

Lessard - Sams Outdoor Heritage Council
February 21, 2011
Room 300 South, State Office Building, St. Paul, Minnesota
Meeting Summary

Members Present:

Acting Chair Jim Cox
Les Bensch (phone)
Wayne Enger

Sen. Bill Ingebrigtsen
Jane Kingston (phone)
Rep. Leon Lillie

Rep. Denny McNamara
Scott Rall (phone)

Members Absent:

Ryan Bronson
David Hartwell

Sen. Tom Saxhaug
Ron Schara

Call to order

Acting - Chair Jim Cox called the meeting to order at 9:07 a.m. A quorum was present. Members were reminded that no action will be taken at this meeting. The purpose of this meeting is open discussion on proposed amendments to HF 471.

Review and approve agenda

The agenda was approved.

Department of Natural Resources Commissioner, Tom Landwehr - Welcome

Commissioner Landwehr gave a welcome to members and stated that he looks forward to working with the Council on conservations issues that are good for Minnesota.

Discussion of HF 471

Rep. McNamara asked Director Becker to review the technical and non-controversarial amendments before the Council.

Amendment 0070

Deletes (b) under Subd. 9 Project Requirement which states, "(b) To the extent possible, a person conducting restoration with money appropriated under this section must plant vegetation or sow seed only of ecotypes native to Minnesota, and preferably of the local ecotype, using a high diversity of species originating from as close to the restoration site as possible and must protect existing native prairies, grasslands, forests, wetlands, and other aquatic systems from genetic contamination." Reference to this under individual project appropriations was also deleted.

Amendment 0073

Repeals definitions in MS 84.02 and all subdivisions. This statute contains various definitions related to prairie and ecotype region.

Amendment A1

A technical amendment providing specific purpose to the Trout Unlimited appropriation. This was an oversight in the original bill draft.

Amendment A5

Appropriating \$10,000 to the LCC for the Legacy Funding web site. All Legacy Funds are being asked to contribute to the ongoing maintenance and upgrades of this site.

Amendment 0072 (this amendment was missing from members' packets)

Deletes the requirement of recipients to make formal written contact with Minnesota Conservation Corps for restoration and enhancement services.

There was little discussion on the above amendments. Sen. Bill Ingebrigtsen stated that amendments 0070 and 0073 have been amended into the Senate file 158.

(17:35) Rep. McNamara presented amendment 0071 to the Council and opened the floor for discussion.

- 1.1 moves to amend H.F. No. 471 as follows:
- 1.2 Page 16, after line 7, insert:
- 1.3 **"(h) Outdoor Heritage Land Restoration**
- 1.4 **and Enhancement Account**
- 1.5 \$5,600,000 the first year is to the
- 1.6 commissioner of natural resources to be
- 1.7 deposited in an interest bearing account to
- 1.8 be used to pay for future restoration and
- 1.9 enhancement of lands purchased in fee with
- 1.10 monies from the outdoor heritage fund and
- 1.11 held by the state and to compensate for costs
- 1.12 incurred by local units of government in
- 1.13 which the state lands lie."
- 1.14 Adjust amounts accordingly

Rep. McNamara stated that he arrived at the \$5.6 million by taking 20% of the price of land being acquired in fee and to be held by the state. The 20% came from taking into consideration the 10% of the cost of the purchase price to reimburse local units of government and 10% of the purchase price for long term restoration and enhancement after the original development.

J. Cox asked what the legislative issues are with the acquisition of land. Rep. McNamara stated he is trying to find a way to continue funding the maintenance of land acquired through the OHF. He asked members if the additional long-term costs should be paid out of the OHF or be paid out of the general fund. Sen. Ingebrigtsen stated that there is concern in the Senate as well, and stated that PILT is also an unresolved issue. Both members questioned the on-going costs of land management and whether the DNR can continue to maintain that at the current budget levels.

W. Enger questioned how the other state properties handle costs of maintenance. He also asked how the DNR is handling the maintenance of the land they continue to purchase. Rep. McNamara responded that the OHF supplements the state budget, and while the fund continues to purchase an accelerated amount of land, the amendment should cover the cost of restoring and enhancing those lands in the future. Because it is accelerated and supplements existing efforts, these dollars should not come out of the general fund.

Rep. McNamara stated that his amendment to HF 471 is an attempt to not sunset the management of the land purchased by OHF even though the sales tax revenue does end in 23 years. Rep. McNamara

clarified his intent was that the interest only would be spent to meet the on-going restoration and enhancement costs of land purchase in fee with OHF dollars.

L. Bensch spoke in favor of the amendment, but expressed concern over the mixing with other DNR funds. He also stated that the Conservation Partners Program is an excellent vehicle to handle some of this work.

S. Rall questioned whether the fund could be put into an account outside of state government to avoid raiding it for other purposes. Rep. McNamara stated that account could only be used on and for the land acquired by OHF and to raid it for other purposes or other lands would fall into the supplement/supplant issue. He suggested strong statutory language would help ensure the correct use and intent of the account. Rep McNamara stated that although the amendment directs the account to the DNR, it could be changed next year after the Council has had more discussion and recommends a process and language amendment to go before a future legislature.

Sen. Ingebrigtsen also stated that this idea needs to be considered with the other legacy and dedicated funds acquiring land.

W. Enger suggested a compromise and recommended a 50/50 split in the contributions to the account that the OHF and the state contributing equally. He also spoke to an account outside of state government and expressed concerned over raiding of the account.

(55:07) J. Cox spoke against the amendment and questioned the need for this type of account. He also stated that the Council currently recommends money for this type of work and could entertain additional requests over the years. He feel that without this account, the Council will continue to support this type of work and that no fund is needed and that the economic return to the state more than covers the cost associated with OHF land acquisition. J. Cox questioned the other state land that is acquired, how is that being taken care of long-term.

Rep. McNamara explained that although the amendment ends in 25 years, the management costs of the land purchased by the OHF go beyond that time and this amendment takes care of that issue.

L. Bensch also addressed the perceived PILT issue. He also stated that the Council should address that and have discussion on that topic as well.

Public comment on priority uses of the Outdoor Heritage Fund

(1:30:50) Bob and Pat Tamen from Sudan, MN stated that he supports the efforts of the Council and the acquisition of public land because it will be an economic and an environmental blessing to Minnesota.

Adjournment

The meeting adjourned at 10:37 a.m.

APPROVED:

Wayne Enger, Secretary

Date