

Foundation to acquire and restore land in certain counties in southwestern Minnesota to be added to the outdoor recreation system;

- \$3,015,000 for an agreement with Pheasants Forever to acquire and restore land for wildlife management areas (WMAs);
- \$2,041,000 for an agreement with the Nature Conservancy to acquire land or permanent easements within the Northern Tallgrass Prairie National Wildlife Refuge;
- \$1,900,000 for an agreement with Anoka County to acquire land at the confluence of the Rum River and Cedar Creek; and
- \$3,653,000 for an agreement with the Nature Conservancy for a pilot project to acquire interests in land and restore and enhance prairie and prairie/wetland habitat.

Subd. 3. Forests. Provides a total appropriation of \$5,603,000 for the following forest projects:

- \$816,000 for an agreement with the Minnesota Land Trust to acquire permanent easements protecting critical shoreline habitats in certain northern Minnesota counties;
- \$594,000 for an agreement with Cass County to acquire land to assist with access to public lands to provide restoration and enhancement;
- \$843,000 for interests in land within the boundaries of the Minnesota National Guard Army compatible use buffer program;
- \$1,791,000 to the DNR to accelerate state forest acquisition, restoration, and enhancement; and
- \$1,559,000 for an agreement with Pheasants Forever to acquire interests and land and restore and enhance habitat for sharp-tailed grouse in certain northern Minnesota counties.

Subd. 4. Wetlands. Provides a total appropriation of \$16,905,000 for the following wetland projects:

- \$6,505,000 to the DNR and for an agreement with Ducks Unlimited to restore and enhance shallow lake and wetland habitats;
- \$3,505,000 for an agreement with Pheasants Forever to acquire and restore wetland and related upland habitats in cooperation with the U. S. Fish and Wildlife Service and Ducks Unlimited, Inc.; and
- \$6,895,000 to the Board of Water and Soil Resources for permanent easements and restoration of wetlands and associated uplands through the Reinvest in Minnesota (RIM) Reserve program and Wetlands Reserve Program.

Subd. 5. Habitat. Provides a total appropriation of \$17,563,000 for the following

habitat projects:

- \$2,397,000 to the DNR for various agreements to protect, restore, and enhance natural systems of the Minnesota, St. Croix, and Mississippi rivers and their major tributaries;
- \$3,416,000 to the DNR to accelerate Aquatic Management Area (AMA) acquisition and restore and enhance stream and lake habitat;
- \$1,269,000 for an agreement with Trout Unlimited to restore, enhance, and protect cold water river and stream habitats;
- \$2,097,000 for an agreement with Dakota County for acquisition of permanent easements and enhancement and restoration of aquatic and associated upland habitat;
- \$1,218,000 to the DNR for various agreements to protect, restore, and enhance natural systems of Valley Creek in Washington County;
- \$747,000 for an agreement with Great River Greening to restore and enhance habitat on public property in the Anoka Sand Plain;
- \$1,000,000 to the DNR to acquire land in the Root River watershed;
- \$1,033,000 for an agreement with Washington County to acquire easements to protect habitat associated with the St. Croix River Valley; and
- \$4,386,000 for a competitive grant program to be administered by the DNR. The grants are available to local, regional, state, and national organizations for enhancement, restoration, or protection of forests, wetlands, prairies, and habitat for fish, game, or wildlife. The grants may be awarded in an amount up to \$400,000 and require a nonstate cash match of ten percent (a match of 20 percent will be required for projects funded by the legislature after July 1, 2010).

Subd. 6. Administration and other. Provides a total appropriation of \$775,000 for administration, including \$175,000 for contract management services from the DNR and \$600,000 for the Legislative Coordinating Commission for the administrative expenses of the LSOHC and expense reimbursement of council members.

Provides an exemption from the open meeting requirements for the council for travel to and from site visits.

Subd. 7. Availability of appropriation. States that appropriations are available until June 30, 2013, unless otherwise specified. States that appropriations for restoration or enhancement work are available until June 30, 2015, or four years after acquisition of the land being restored or enhanced, whichever is later. States that appropriations for projects receiving federal funds are extended to equal the availability of federal funding.

Subd. 8. Accomplishment plans. States that it is a condition of accepting an appropriation under this section that the recipient submits an accomplishment plan and periodic accomplishment reports to the LSOHC.

Subd. 9. Project requirements. Establishes certain requirements for projects (similar to requirements placed on LCCMR projects), including vegetation and seed requirements, requiring easements to be permanent and have a long-term stewardship plan, requiring restorations to have an ecological restoration and management plans, and requiring all restorations to be on lands permanently protected.

Subds. 10. to 14. Provide additional criteria and requirements for the appropriations that are similar to standard subdivisions used by the LCCMR as part of their recommendations.

Subd. 15. Successor organization. Permits the LSOHC to approve the continuation of a project with an organization that has adopted a new name, but requires the LSOHC to notify the legislature and present proposed legislation to the legislature accepting or rejecting involvement with an organization that has undergone a significant change in mission, structure, or purpose.

- 3 Land management option.** Adds § 97A.056, subd. 8. Requires the LSOHC to develop and submit options to the legislature on a method to assess each recommended project a onetime land management fee to cover the reasonable management, care, restoration, and protection of land acquired in fee or easement and include the fee as part of all recommended projects from July 2011 onward.
- 4 Lands in public domain.** Adds § 97A.056, subd. 9. Prohibits outdoor heritage funds from being used to purchase land in fee or easement that are already fully or partially owned by the state or a political subdivision of the state for conservation purposes beginning for projects proposed after July 1, 2010.

Article 2: Clean Water

Overview

This bill contains supplemental appropriations from the clean water fund and establishes a metropolitan area groundwater monitoring fee and account to provide matching funds for the costs of establishing and maintaining a groundwater monitoring program in the 11-county metropolitan area.

- 1 Clean water fund appropriations.** Technical.
- 2 Pollution Control Agency.** Appropriates \$310,000 to the PCA for continued rulemaking for nitrogen water quality standards.
- 3 Department of Natural Resources.** Transfers \$5,000,000 to a new metro groundwater monitoring account (established in this bill) for the DNR to use in establishing a groundwater monitoring network in the 11-county metro area.
- 4 Board of Water and Soil Resources.** Appropriates a total of \$1,615,000 in additional

funds to BWSR for the following three programs receiving funding in the previous clean water fund appropriation bill (Laws 2009, ch. 172, article 2, section 6): easements on riparian buffers; grants to watershed districts and watershed management organizations for water retention programs; and easements on wellhead protection areas. Requires the Star Lake Board to provide recommendations to BWSR on a set of criteria for star lakes and rivers. Permits BWSR to use up to five percent of funds appropriated in the previous clean water fund appropriation bill for the administration of grant and easement programs, and another five percent for technical design, construction, and oversight.

- 5 **Water use permit processing fee.** Amends § 103G.271, subd. 6. Establishes a new water monitoring fee of .0008 cents per gallon (.0006 beginning July 1, 2015, or when the groundwater monitoring wells are complete whichever comes first) on water used in the 11-county metropolitan area that is credited to the new metropolitan area groundwater monitoring matching account established in the next section.
- 6 **Metropolitan area groundwater monitoring matching account.** Adds § 103G.272. Establishes a metropolitan area groundwater monitoring matching account in the natural resources fund to be appropriated to the DNR to provide monitoring of groundwater quantity and quality of non-stressed systems in the 11-county metropolitan area.
- 7 **Pollution Control Agency.** Amends Laws 2009, ch. 172, art. 2, § 4. Increases, by \$300,000, the appropriation for grants to local units of government to implement best management practices to clean up contaminated sediments in storm water ponds and allows the PCA to use a portion of the funds for the development of related best management practices required last session. Increases, by \$200,000, the appropriation for a restoration project in the Lower

St. Louis River, and clarifies that the match must be “at least” \$2 nonstate to every \$1 of state money. Eliminates a \$5,000,000 appropriation for groundwater protection activities that had required a plan and legislative approval.

Article 3: General Provisions

Overview

This article contains various policy provisions affecting the four dedicated funds.

- 1 **Restoration audits.** Adds § 3.971, subd. 9. Requires the legislative auditor, at the direction of the Legislative Audit Commission, to conduct “restoration audits” (defined as scientific evaluations of an area of land that has been restored in order to determine whether the restoration meets applicable requirements for the restoration) on a portion of lands restored with state funds and provides criteria for the audits. Authorizes the legislative auditor to hire or contract with scientists and other appropriate people to meet the requirements.
- 2 **Payment from heritage funds for audit costs.** Adds § 3.9715. Requires the constitutional dedicated funds to pay the legislative auditor for costs incurred by the auditor in examining financial activities of each fund. Appropriates money from the funds to make these payments. Requires the auditor to report annually on past and projected future expenditure

of funds under this section.

- 3 Expenditures; accountability.** Amends § 85.53, subd. 2. Eliminates an incorrect reference and codifies signage and logo requirements for recipients of parks and trails funds passed last session (Laws 2009, ch. 172, art. 5, § 10).
- 4 Logo.** Adds § 97A.056, subd. 10. Codifies signage and logo requirements for recipients of outdoor heritage funds passed last session (Laws 2009, ch. 172, art. 5, § 10).
- 5 Expenditures; accountability.** Amends § 114D.50, subd. 4. Codifies signage and logo requirements for recipients of clean water funds passed last session (Laws 2009, ch. 172, art. 5, § 10).
- 6 Expenditures; accountability.** Amends § 129D.17, subd. 2. Clarifies signage and logo requirements for recipients of arts and cultural heritage funds passed last session (Laws 2009, ch. 172, art. 5, § 10).
- 7 Funds carryover.** States that, unless otherwise provided, the amounts appropriated from the dedicated funds last session (Laws 2009, ch. 172) are available until June 30, 2011, for acquisitions of an interest in real property they are available until June 30, 2012, and for projects receiving federal funds they are extended to the availability of federal funding.
- 8 Parks.** Authorizes the Minneapolis Park and Recreation Board to acquire specified property for a regional park using future appropriations.
- Effective after the board complies with approval and filing requirements for special laws.
- 9 Repealer.** Repeals Laws 2009, ch. 172, art. 5, § 9 (requiring 25-year strategic framework for the dedicated funds to be developed by the legislature).