

HOUSE RESEARCH

Bill Summary

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Overview

This bill contains the appropriations from the outdoor heritage fund as recommended by the Lessard-Sams Outdoor Heritage Council (LSOHC), which is required by statute to provide recommendations to the legislature on the use of outdoor heritage funds.

Section

1 Outdoor heritage appropriation. Technical

2 Outdoor heritage.

Subd. 1. Total appropriation. Provides a total appropriation of \$86,471,000 from the outdoor heritage fund in fiscal year 2012, and \$471,000 in fiscal year 2013.

Subd. 2. Prairies. Provides a total appropriation of \$32,671,000 in fiscal year 2012 for the following prairie projects:

(a) \$3,931,000 to the Department of Natural Resources (DNR) to acquire wildlife management areas (WMAs), scientific and natural areas (SNAs), and native prairie bank easements;

(b) \$1,652,000 to the DNR to accelerate restoration and enhancement of WMAs, SNAs, and land under native prairie bank easements;

(c) \$2,249,000 to the Board of Water and Soil Resources (BWSR) for conservation easements on riparian buffers;

(d) \$1,720,000 for an agreement with the Nature Conservancy to acquire land or permanent easements on lands to be added to the Northern Tallgrass Prairie National Wildlife Refuge;

(e) \$4,500,000 for an agreement with the Nature Conservancy to acquire native

prairie and savanna and restore and enhance grasslands and savanna;

(f) \$1,533,000 for an agreement with the Trust for Public Land to acquire and restore lands for a WMA in the Cannon River watershed;

(g) \$5,500,000 for an agreement with Pheasants Forever to acquire prairie and other habitat areas for WMAs;

(h) \$9,815,000 for an agreement with the Pheasants Forever to acquire wetlands and grasslands to be added to the waterfowl production area system; and

(i) \$1,771,000 for an agreement with the Redwood Area Development Corporation to acquire and restore for WMAs or aquatic management areas (AMAs).

Subd. 3. Forests. Provides a total appropriation of \$14,371,000 for the following forest projects:

(a) \$5,409,000 to the DNR to acquire forest easements through the Minnesota forests for the future program;

(b) \$4,632,000 for an agreement with the Trust for Public Land to acquire land adjacent to LaSalle Lake;

(c) \$826,000 to the DNR to restore and enhance lands in state forests;

(d) \$988,000 for an agreement with Pheasants Forever, in cooperation with the Minnesota Sharp-Tailed Grouse Society, to acquire and enhance WMAs;

(e) \$707,000 to the DNR to acquire and enhance habitat in the lower Root River and lower Zumbro River watersheds;

(f) \$604,000 for an agreement with Cass County to acquire land for forest wildlife habitat; and

(g) \$1,205,000 to the DNR to acquire land and permanent management access easements for state forests.

Subd. 4. Wetlands. Provides a total appropriation of \$15,827,000 for the following wetland projects:

(a) \$13,000,000 to BWSR for permanent easements and restoration of wetlands and associated uplands through the Reinvest in Minnesota (RIM) Reserve program and Wetlands Reserve Program;

(b) \$936,000 to the DNR to develop engineering designs for shallow lakes and wetlands and restore and enhance shallow lakes; and

(c) \$1,891,000 for an agreement with BWSR and Ducks Unlimited to acquire, in fee and through conservation easement, wild rice lake shoreland habitat.

Subd. 5. Habitat. Provides a total appropriation of \$22,914,000 for the following habitat projects:

- (a) \$6,500,000 to the DNR to acquire lands, in fee and through conservation easement, for AMAs and to restore and enhance aquatic habitat;
- (b) \$1,533,000 for an agreement with Trout Unlimited;
- (c) \$577,000 for an agreement with Chisago County to acquire land to be added to the Janet Johnson Memorial WMA;
- (d) \$5,000,000 to the DNR for agreements with various partners to acquire interests in land and to restore and enhance natural systems associated with the Mississippi, Minnesota, and St. Croix Rivers;
- (e) \$1,098,000 for agreements with the Leech Lake Watershed Foundation and the Minnesota Land Trust to cover acquisition expenses and monitoring costs associated with donated permanent conservation easements on sensitive shorelands in north central Minnesota;
- (f) \$2,577,000 for an agreement with the Shell Lake Watershed District to acquire land at the headwaters of the Shell Rock River for AMA purposes; and
- (g) \$5,629,000 to the DNR for the Outdoor Heritage Conservation Partners Grant Program, a competitive grant program 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 for grants of \$100,000 or less and 15 percent for grants over \$100,000.

Subd. 6. Administration. Provides a total appropriation of \$688,000 in fiscal year 2012 and \$471,000 in fiscal year 2013 for administration, including: \$175,000 in fiscal year 2012 for contract management services from the DNR; \$471,000 each year for the administrative expenses of the LSOHC and expense reimbursement of council members; and \$42,000 for a technical assistance panel to conduct restoration audits.

Subd. 7. Availability of appropriation. States that money appropriated may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the accomplishment plan and may not be spent on indirect costs or other institutional overhead charges. States that appropriations are available until June 30, 2014, unless otherwise specified. States that appropriations for restoration or enhancement work are available until June 30, 2016, 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. States that funds for acquisition may be used to restore, enhance, and provide for the public use of lands acquired and that public use facilities must have minimal impact on habitat.

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. Prohibits money from being spent unless the LSOHC approves the accomplishment plan.

Subd. 9. Project requirements. Establishes certain requirements for projects (similar to requirements placed on project recommended by the Legislative-Citizen Commission on Minnesota Resources (LCCMR)), 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 plan, and requiring all restorations to be on public waters or lands permanently protected unless otherwise provided.

Subds. 10. to 12. Provide additional criteria and requirements for the appropriations that are similar to requirements used by the LCCMR as part of their recommendations, including specifying payment conditions, and requiring recipients to follow state recyclable materials purchasing requirements and Americans with Disabilities Act (ADA) accessibility guidelines.

Subd. 13. Land acquisition restrictions. Establishes certain restrictions on lands acquired with funds appropriated in this section, including requiring LSOHC approval prior to conveying the property acquired or altering the intended use of the property.

Subd. 14. Real property interest report. Requires a recipient of funds appropriated in this section used to acquire an interest in real property to submit an annual report (due by Dec. 1) to the LSOHC on the status of the property.

Subd. 15. Easement monitoring and enforcement requirements. Requires funds appropriated for easement monitoring and enforcement to be spent only on activities specified in an easement monitoring and enforcement plan within the accomplishment plan and requires the funds to be kept in a monitoring and enforcement fund dedicated for those purposes. Requires an entity receiving monitoring and enforcement funds to submit an annual report to the LSOHC. States that such funds revert to the state if the easement is transferred to the state, the entity fails to file the required report following notification, or the entity fails to comply with the terms of the monitoring and enforcement plan following notification.

Subd. 16. 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 Definitions.** Adds § 97A.056, subd. 1a. Adds a definition of "recipient" for purposes of outdoor heritage fund appropriations and provides for a retroactive effective date from July 1, 2009.
- 4 Lessard-Sams Outdoor Heritage Council.** Amends § 97A.056, subd. 2. Modifies the terms of members of the LSOHC to state that public members of the council serve four-year terms and appointed legislative members serve at the pleasure of the appointing authority.
- 5 Forests.** Amends Laws 2009, ch. 172, art. 1, § 2, subd. 2. Allows up to \$750,000 from the fiscal year 2011 appropriation for the Upper Mississippi Forest Project (UPM Blandin) under the Minnesota forests for the future program to be used for long-term monitoring and enforcement of easements acquired with outdoor heritage funds and requires the funds to be kept in a separate fund. Removes language stating that the appropriation was only available

if, by August 15, 2009, a binding agreement was reached with the DNR and at least \$9,000,000 of private donations were available.