

1.1 A bill for an act

1.2 relating to state government; appropriating money for environment and natural
1.3 resources; modifying duties of Legislative-Citizen Commission on Minnesota
1.4 Resources; amending Minnesota Statutes 2008, sections 116P.05, subdivision 2;
1.5 116P.08, subdivision 4; 116P.10.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. **MINNESOTA RESOURCES APPROPRIATION.**

1.8 The sums shown in the columns marked "Appropriations" are appropriated to the
1.9 agencies and for the purposes specified in this act. The appropriations are from the
1.10 environment and natural resources trust fund, or another named fund, and are available for
1.11 the fiscal years indicated for each purpose. The figures "2010" and "2011" used in this act
1.12 mean that the appropriations listed under them are available for the fiscal year ending June
1.13 30, 2010, or June 30, 2011, respectively. "The first year" is fiscal year 2010. "The second
1.14 year" is fiscal year 2011. "The biennium" is fiscal years 2010 and 2011.

1.15 **APPROPRIATIONS**
1.16 **Available for the Year**
1.17 **Ending June 30**
1.18 **2010** **2011**

1.19 Sec. 2. **MINNESOTA RESOURCES.**

1.20 Subdivision 1. Total Appropriation \$ **26,088,000** \$ **-0-**

1.21 Appropriations by Fund

1.22 2010 2011
1.23 Environment and
1.24 Natural Resources
1.25 Trust **25,622,000** **-0-**

2.1	<u>Great Lakes</u>		
2.2	<u>Protection Account</u>	<u>66,000</u>	<u>-0-</u>
2.3	<u>State Land and</u>		
2.4	<u>Water Conservation</u>		
2.5	<u>Account</u>		
2.6	<u>(LAWCON)</u>	<u>400,000</u>	<u>-0-</u>

2.7 Appropriations are available for two
2.8 years beginning July 1, 2009, unless
2.9 otherwise stated in the appropriation. Any
2.10 unencumbered balance remaining in the first
2.11 year does not cancel and is available for the
2.12 second year.

2.13 Subd. 2. **Definitions**

2.14 (a) "Trust fund" means the Minnesota
2.15 environment and natural resources trust fund
2.16 referred to in Minnesota Statutes, section
2.17 116P.02, subdivision 6.

2.18 (b) "Great Lakes protection account" means
2.19 the account referred to in Minnesota Statutes,
2.20 section 116Q.02.

2.21 (c) "State land and water conservation
2.22 account (LAWCON)" means the state land
2.23 and water conservation account in the natural
2.24 resources fund referred to in Minnesota
2.25 Statutes, section 116P.14.

2.26 Subd. 3. **Natural Resource Data and**
2.27 **Information**

5,995,000

-0-

2.28 (a) Minnesota County Biological Survey
2.29 \$2,100,000 is from the trust fund to the
2.30 commissioner of natural resources for
2.31 continuation of the Minnesota county
2.32 biological survey to provide a foundation
2.33 for conserving biological diversity by
2.34 systematically collecting, interpreting,
2.35 and delivering data on plant and animal

3.1 distribution and ecology, native plant
3.2 communities, and functional landscapes.

3.3 (b) County Geological Atlas and South-Central
3.4 Minnesota Groundwater

3.5 \$2,695,000 is from the trust fund for
3.6 collection and interpretation of subsurface
3.7 geological information and acceleration of
3.8 the county geologic atlas program. \$820,000
3.9 of this appropriation is to the Board of
3.10 Regents of the University of Minnesota for
3.11 the geological survey to continue and to
3.12 initiate the production of county geologic
3.13 atlases. \$1,875,000 of this appropriation is
3.14 to the commissioner of natural resources
3.15 to investigate the physical and recharge
3.16 characteristics of the Mt. Simon aquifer.
3.17 This appropriation represents a continuing
3.18 effort to complete the county geologic atlases
3.19 throughout the state. This appropriation
3.20 is available until June 30, 2012, at which
3.21 time the project must be completed and final
3.22 products delivered, unless an earlier date is
3.23 specified in the work program.

3.24 (c) Soil Survey

3.25 \$400,000 is from the trust fund to the Board
3.26 of Water and Soil Resources to accelerate the
3.27 county soil survey mapping and Web-based
3.28 data delivery. This appropriation represents
3.29 a continuing effort to complete the mapping.
3.30 The soil surveys must be done on a cost-share
3.31 basis with local and federal funds.

3.32 (d) Springshed Mapping for Trout Stream
3.33 Management

3.34 \$500,000 is from the trust fund to continue
3.35 to identify and delineate supply areas and

4.1 springsheds for springs serving as coldwater
 4.2 sources for trout streams and to assess
 4.3 the impacts from development and water
 4.4 appropriations. Of this appropriation,
 4.5 \$250,000 is to the Board of Regents of the
 4.6 University of Minnesota and \$250,000 is to
 4.7 the commissioner of natural resources.

4.8 (e) Restorable Wetlands Inventory
 4.9 \$300,000 is from the trust fund to the
 4.10 commissioner of natural resources for an
 4.11 agreement with Ducks Unlimited, Inc.,
 4.12 to complete the inventory, mapping, and
 4.13 digitizing of drained restorable wetlands in
 4.14 Minnesota. This appropriation is available
 4.15 until June 30, 2012, at which time the
 4.16 project must be completed and final products
 4.17 delivered, unless an earlier date is specified
 4.18 in the work program.

4.19	<u>Subd. 4. Land, Habitat, and Recreation</u>	<u>13,227,000</u>	<u>-0-</u>
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4.20	<u>Appropriations by Fund</u>		
4.21	<u>Environment and</u>		
4.22	<u>Natural Resources</u>		
4.23	<u>Trust</u>	<u>12,827,000</u>	<u>-0-</u>
4.24	<u>State Land and</u>		
4.25	<u>Water Conservation</u>		
4.26	<u>Account</u>		
4.27	<u>(LAWCON)</u>	<u>400,000</u>	<u>-0-</u>

4.28 (a) State Parks Acquisition
 4.29 \$590,000 is from the trust fund to the
 4.30 commissioner of natural resources to acquire
 4.31 in-holdings for state parks. Land acquired
 4.32 with this appropriation must be sufficiently
 4.33 improved to meet at least minimum
 4.34 management standards as determined by the
 4.35 commissioner of natural resources. A list of
 4.36 proposed acquisitions must be provided as
 4.37 part of the required work program.

5.1 (b) State Trail Acquisition

5.2 \$1,000,000 is from the trust fund to the
5.3 commissioner of natural resources to assist
5.4 in the acquisition of the Brown's Creek
5.5 Segment of the Willard Munger Trail in
5.6 Washington County and Paul Bunyan State
5.7 Trail in the city of Bemidji.

5.8 (c) Metropolitan Regional Park System
5.9 Acquisition

5.10 \$1,290,000 is from the trust fund to the
5.11 Metropolitan Council for subgrants for the
5.12 acquisition of lands within the approved park
5.13 unit boundaries of the metropolitan regional
5.14 park system. This appropriation may not
5.15 be used for the purchase of residential
5.16 structures. A list of proposed fee title and
5.17 easement acquisitions must be provided
5.18 as part of the required work program. All
5.19 funding for conservation easements must
5.20 include a long-term stewardship plan and
5.21 funding for monitoring and enforcing the
5.22 agreement. This appropriation must be
5.23 matched by at least 40 percent of nonstate
5.24 money and must be committed by December
5.25 31, 2009, or the appropriation cancels. This
5.26 appropriation is available until June 30, 2012,
5.27 at which time the project must be completed
5.28 and final products delivered, unless an earlier
5.29 date is specified in the work program.

5.30 (d) Statewide Scientific and Natural Area
5.31 Acquisition and Restoration

5.32 \$590,000 is from the trust fund to the
5.33 commissioner of natural resources to acquire
5.34 high quality native plant communities and
5.35 rare features and restore parts of scientific

6.1 and natural areas as provided in Minnesota
6.2 Statutes, section 86A.05, subdivision 5. A list
6.3 of proposed acquisitions must be provided as
6.4 part of the required work program.

6.5 (e) Minnesota's Habitat Conservation Partnership
6.6 (HCP) – Phase VI

6.7 \$3,375,000 is from the trust fund to the
6.8 commissioner of natural resources for the
6.9 sixth appropriation for acceleration of agency
6.10 programs and cooperative agreements.

6.11 Of this appropriation, \$770,000 is for the
6.12 Department of Natural Resources agency
6.13 programs and \$2,605,000 is for agreements
6.14 as follows: \$450,000 with Pheasants
6.15 Forever; \$50,000 with Minnesota Deer
6.16 Hunters Association; \$895,000 with Ducks
6.17 Unlimited, Inc.; \$85,000 with National Wild
6.18 Turkey Federation; \$365,000 with the Nature
6.19 Conservancy; \$210,000 with Minnesota Land
6.20 Trust; \$350,000 with the Trust for Public
6.21 Land; \$100,000 with Minnesota Valley
6.22 National Wildlife Refuge Trust, Inc.; \$50,000
6.23 with the United States Fish and Wildlife
6.24 Service; and \$50,000 with Friends of Detroit
6.25 Lakes Watershed Management District
6.26 to plan, restore, and acquire fragmented
6.27 landscape corridors that connect areas of
6.28 quality habitat to sustain fish, wildlife, and
6.29 plants. The United States Department of
6.30 Agriculture-Natural Resources Conservation
6.31 Service is a cooperating partner in the
6.32 appropriation. Expenditures are limited to
6.33 the project corridor areas as defined in the
6.34 work program. Land acquired with this
6.35 appropriation must be sufficiently improved
6.36 to meet at least minimum habitat and facility

7.1 management standards as determined by
7.2 the commissioner of natural resources.
7.3 This appropriation may not be used for the
7.4 purchase of residential structures, unless
7.5 expressly approved in the work program. All
7.6 conservation easements must be perpetual
7.7 and have a natural resource management
7.8 plan. Any land acquired in fee title by the
7.9 commissioner of natural resources with
7.10 money from this appropriation must be
7.11 designated as an outdoor recreation unit
7.12 under Minnesota Statutes, section 86A.07.
7.13 The commissioner may similarly designate
7.14 any lands acquired in less than fee title. A
7.15 list of proposed restorations and fee title
7.16 and easement acquisitions must be provided
7.17 as part of the required work program. All
7.18 funding for conservation easements must
7.19 include a long-term stewardship plan and
7.20 funding for monitoring and enforcing the
7.21 agreement. To the maximum extent practical,
7.22 consistent with contractual easement or
7.23 fee acquisition obligations, the recipients
7.24 shall utilize staff resources to identify
7.25 future projects and shall maximize the
7.26 implementation of biodiverse, quality
7.27 restoration projects in the project proposal
7.28 into the first half of the 2010 fiscal year.
7.29 (f) Metro Conservation Corridors (MeCC) - Phase
7.30 V
7.31 \$3,375,000 is from the trust fund to the
7.32 commissioner of natural resources for the
7.33 fifth appropriation for acceleration of agency
7.34 programs and cooperative agreements.
7.35 Of this appropriation, \$2,185,000 is for
7.36 Department of Natural Resources agency

8.1 programs and \$1,190,000 is for agreements
8.2 as follows: \$380,000 with the Trust for
8.3 Public Land; \$90,000 with Friends of the
8.4 Mississippi River; \$155,000 with Great
8.5 River Greening; \$250,000 with Minnesota
8.6 Land Trust; \$225,000 with Minnesota Valley
8.7 National Wildlife Refuge Trust, Inc.; and
8.8 \$90,000 with Friends of the Minnesota
8.9 Valley for the purposes of planning,
8.10 restoring, and protecting important natural
8.11 areas in the metropolitan area, as defined
8.12 under Minnesota Statutes, section 473.121,
8.13 subdivision 2, and portions of the surrounding
8.14 counties, through grants, contracted services,
8.15 technical assistance, conservation easements,
8.16 and fee title acquisition. Land acquired
8.17 with this appropriation must be sufficiently
8.18 improved to meet at least minimum
8.19 management standards as determined by
8.20 the commissioner of natural resources.
8.21 Expenditures are limited to the identified
8.22 project corridor areas as defined in the work
8.23 program. This appropriation may not be used
8.24 for the purchase of residential structures,
8.25 unless expressly approved in the work
8.26 program. All conservation easements must
8.27 be perpetual and have a natural resource
8.28 management plan. Any land acquired in fee
8.29 title by the commissioner of natural resources
8.30 with money from this appropriation must
8.31 be designated as an outdoor recreation unit
8.32 under Minnesota Statutes, section 86A.07.
8.33 The commissioner may similarly designate
8.34 any lands acquired in less than fee title. A
8.35 list of proposed restorations and fee title
8.36 and easement acquisitions must be provided

9.1 as part of the required work program. All
9.2 funding for conservation easements must
9.3 include a long-term stewardship plan and
9.4 funding for monitoring and enforcing the
9.5 agreement. To the maximum extent practical,
9.6 consistent with contractual easement or
9.7 fee acquisition obligations, the recipients
9.8 shall utilize staff resources to identify
9.9 future projects and shall maximize the
9.10 implementation of biodiverse, quality
9.11 restoration projects in the project proposal
9.12 into the first half of the 2010 fiscal year.

9.13 (g) Statewide Ecological Ranking of Conservation
9.14 Reserve Program (CRP) and Other Critical Lands

9.15 \$107,000 is from the trust fund to the Board
9.16 of Water and Soil Resources to continue the
9.17 efforts funded by the emerging issues account
9.18 allocation to identify and rank the ecological
9.19 value of conservation reserve program (CRP)
9.20 and other critical lands throughout Minnesota
9.21 using a multiple parameter approach
9.22 including soil productivity, landscape, water,
9.23 and wildlife factors.

9.24 (h) Protection of Granite Rock Outcrop Ecosystem

9.25 \$1,500,000 is from the trust fund to the
9.26 Board of Water and Soil Resources, in
9.27 cooperation with the Renville Soil and Water
9.28 Conservation District, to acquire perpetual
9.29 easements of unique granite rock outcrops
9.30 located in the Upper Minnesota River Valley
9.31 and to restore their ecological integrity.

9.32 (i) Minnesota Farm Bill Assistance Project

9.33 \$1,000,000 is from the trust fund to the Board
9.34 of Water and Soil Resources to provide
9.35 funding for technical staff to assist in the

10.1 implementation provisions of conservation
10.2 programs including the federal farm bill
10.3 conservation programs. Documentation must
10.4 be provided on the number of landowner
10.5 contacts, program participation, federal
10.6 dollars leveraged, quantifiable criteria, and
10.7 measurement of the improvements to water
10.8 quality and habitat.

10.9 (j) Land and Water Conservation Account
10.10 (LAWCON) Federal Reimbursements

10.11 \$400,000 is from the state land and water
10.12 conservation account (LAWCON) in the
10.13 natural resources fund to the commissioner of
10.14 natural resources for priorities established by
10.15 the commissioner for eligible state projects
10.16 and administrative and planning activities
10.17 consistent with Minnesota Statutes, section
10.18 116P.14, and the federal Land and Water
10.19 Conservation Fund Act.

10.20 **Subd. 5. Water Resources** 2,063,000 -0-

10.21 (a) Removal of Endocrine Disruptors; Treatment
10.22 and Education

10.23 \$275,000 is from the trust fund to the Board
10.24 of Regents at the University of Minnesota
10.25 to continue research on the removal of
10.26 endocrine disruptors from Minnesota's
10.27 waters through strategies of enhancing
10.28 treatment at wastewater treatment plants and
10.29 decreasing the use of the compounds. This
10.30 appropriation is available until June 30, 2012,
10.31 at which time the project must be completed
10.32 and final products delivered, unless an earlier
10.33 date is specified in the work program.

10.34 (b) Vulnerability of Fish Populations in Lakes to
10.35 Endocrine Disrupting Contaminants

11.1 \$297,000 is from the trust fund to the
11.2 commissioner of natural resources for an
11.3 agreement with the United States Geologic
11.4 Survey and St. Cloud State University to
11.5 develop quantitative data on juvenile and
11.6 adult fish vulnerability to endocrine-active
11.7 emerging contaminants found in Minnesota
11.8 lakes. This appropriation is available until
11.9 June 30, 2012, at which time the project must
11.10 be completed and final products delivered,
11.11 unless an earlier date is specified in the work
11.12 program.

11.13 (c) Cooperative Habitat Research in Deep Lakes

11.14 \$825,000 is from the trust fund to the
11.15 commissioner of natural resources to assess
11.16 the consequences of large ecological drivers
11.17 of change on water quality and habitat
11.18 dynamics of deep water lakes with coldwater
11.19 fish populations. This appropriation is
11.20 available until June 30, 2012, at which time
11.21 the project must be completed and final
11.22 products delivered, unless an earlier date is
11.23 specified in the work program.

11.24 (d) Intensified Tile Drainage Evaluation

11.25 \$300,000 is from the trust fund to the
11.26 Science Museum of Minnesota for the St.
11.27 Croix watershed research station to conduct
11.28 a comparative assessment of hydrologic
11.29 changes in watersheds with and without
11.30 intensive tile drainage to determine the
11.31 effects of climate and tile drainage on river
11.32 erosion. This appropriation is available until
11.33 June 30, 2012, at which time the project must
11.34 be completed and final products delivered,

12.1 unless an earlier date is specified in the work
 12.2 program.
 12.3 (e) Citizen-Based Stormwater Management
 12.4 \$279,000 is from the trust fund to the
 12.5 commissioner of natural resources for
 12.6 an agreement with Metro Blooms, in
 12.7 cooperation with Minnehaha Creek
 12.8 Watershed District and the city of
 12.9 Minneapolis, to install and evaluate the
 12.10 effectiveness of rain gardens on improving
 12.11 the impaired water of Powderhorn Lake in
 12.12 Minneapolis. This appropriation is available
 12.13 until June 30, 2012, at which time the
 12.14 project must be completed and final products
 12.15 delivered, unless an earlier date is specified
 12.16 in the work program.

12.17 (f) Minnesota Drainage Law Analysis and
 12.18 Evaluation
 12.19 \$87,000 is from the trust fund to the
 12.20 commissioner of natural resources for an
 12.21 agreement with Smith Partners PLLP to
 12.22 identify and analyze legal and policy issues
 12.23 where the drainage code conflicts with other
 12.24 laws impacting protection of public waters
 12.25 and wetlands.

12.26	<u>Subd. 6. Aquatic and Terrestrial Invasive</u>		
12.27	<u>Species</u>	<u>1,068,000</u>	<u>-0-</u>

12.28	<u>Appropriations by Fund</u>		
12.29	<u>Environment and</u>		
12.30	<u>Natural Resources</u>		
12.31	<u>Trust</u>	<u>1,002,000</u>	<u>-0-</u>
12.32	<u>Great Lakes</u>		
12.33	<u>Protection Account</u>	<u>66,000</u>	<u>-0-</u>

12.34 (a) Ballast Water Sampling Method Development
 12.35 and Treatment Technology

- 13.1 \$300,000 is from the trust fund and \$66,000
13.2 is from the Great Lakes protection account to
13.3 the commissioner of the Pollution Control
13.4 Agency in cooperation with the Department
13.5 of Natural Resources to conduct monitoring
13.6 for aquatic invasive species in ballast water
13.7 discharges to Minnesota waters of Lake
13.8 Superior and to test the effectiveness of
13.9 ballast water treatment systems.
- 13.10 (b) Emergency Delivery System Development for
13.11 Disinfecting Ballast Water
- 13.12 \$125,000 is from the trust fund to the
13.13 commissioner of the Pollution Control
13.14 Agency for an agreement with the United
13.15 States Geologic Survey to test the viability
13.16 of treating ballast water through tank access
13.17 ports or air vents as a means to prevent the
13.18 spread of invasive species.
- 13.19 (c) Improving Emerging Fish Disease Surveillance
13.20 in Minnesota
- 13.21 \$80,000 is from the trust fund to the Board
13.22 of Regents of the University of Minnesota
13.23 to assess mechanisms and control of the
13.24 transmission of Heterosporosis, an emerging
13.25 fish disease in Minnesota, to assist in future
13.26 management decisions and research.
- 13.27 (d) Controlling the Movement of Invasive Fish
13.28 Species
- 13.29 \$300,000 is from the trust fund to the Board
13.30 of Regents of the University of Minnesota to
13.31 develop and test sonic barriers that could be
13.32 effective in preventing and controlling the
13.33 movement of invasive carp in Minnesota's
13.34 waterways. This appropriation is available
13.35 until June 30, 2012, at which time the
13.36 project must be completed and final products

14.1 delivered, unless an earlier date is specified
14.2 in the work program.

14.3 (e) Prevention and Early Detection of Invasive
14.4 Earthworms

14.5 \$150,000 is from the trust fund to the Board
14.6 of Regents of the University of Minnesota
14.7 Natural Resources Research Institute for a
14.8 risk assessment of the methods of spreading,
14.9 testing of management recommendations,
14.10 and identification of key areas for action in
14.11 the state to reduce the impacts of invasive
14.12 earthworms on hardwood forest productivity.

14.13 This appropriation is available until June
14.14 30, 2012, at which time the project must
14.15 be completed and final products delivered,
14.16 unless an earlier date is specified in the work
14.17 program.

14.18 (f) Native Plant Biodiversity, Invasive Plant
14.19 Species, and Invertebrates

14.20 \$47,000 is from the trust fund to the
14.21 commissioner of natural resources for
14.22 an agreement with Concordia College to
14.23 survey plant, pollinator, and invertebrate
14.24 biodiversity in native and restored prairies to
14.25 assess impacts on invasive species and food
14.26 sources for grassland birds and ecosystem
14.27 services.

14.28 Subd. 7. **Energy** 2,323,000 -0-

14.29 (a) Options to Decarbonize Minnesota's Electrical
14.30 Power System

14.31 \$143,000 is from the trust fund to the Board
14.32 of Regents of the University of Minnesota
14.33 to analyze the Minnesota Climate Change
14.34 Advisory Group's greenhouse gas reduction
14.35 recommendations related to electrical

- 15.1 power from a life-cycle analysis and a
15.2 socio-political perspective.
- 15.3 (b) Projecting Environmental Trajectories for
15.4 Energy-Water-Habitat Planning
- 15.5 \$180,000 is from the trust fund to the Board
15.6 of Regents of the University of Minnesota
15.7 to combine detailed climatic records of
15.8 Minnesota with present and past ecosystem
15.9 boundaries to forecast future fine-scale flow
15.10 of climate across the state impacting human
15.11 activities and natural resources.
- 15.12 (c) Energy Efficient Cities
- 15.13 \$2,000,000 is from the trust fund to the
15.14 commissioner of commerce for an agreement
15.15 with the Center for Energy and Environment
15.16 for demonstration of innovative residential
15.17 energy efficiency delivery and financing
15.18 strategies, training, installation, evaluation,
15.19 and recommendations for a utility residential
15.20 energy conservation program.
- 15.21 **Subd. 8. Administration and Other** 1,412,000 -0-
- 15.22 (a) Contract Management
- 15.23 \$158,000 is from the trust fund to the
15.24 commissioner of natural resources for
15.25 contract management for duties assigned
15.26 in Laws 2007, chapter 30, section 2, and
15.27 Laws 2008, chapter 367, section 2, and for
15.28 additional duties as assigned in this section.
- 15.29 (b) Legislative-Citizen Commission on Minnesota
15.30 Resources (LCCMR)
- 15.31 \$1,254,000 is from the trust fund for fiscal
15.32 years 2010 and 2011 and is for administration
15.33 as provided in Minnesota Statutes, section
15.34 116P.09, subdivision 5.

16.1 **Subd. 9. Availability of Appropriations**

16.2 Unless otherwise provided, the amounts in
16.3 this section are available until June 30, 2011,
16.4 when projects must be completed and final
16.5 products delivered. For acquisition of real
16.6 property, the amounts in this section are
16.7 available until June 30, 2012, if a binding
16.8 contract is entered into by June 30, 2011,
16.9 and closed not later than June 30, 2012. If
16.10 a project receives a federal grant, the time
16.11 period of the appropriation is extended to
16.12 equal the federal grant period.

16.13 **Subd. 10. Data Availability Requirements**

16.14 Data collected by the projects funded under
16.15 this section that have value for planning and
16.16 management of natural resources, emergency
16.17 preparedness, and infrastructure investments
16.18 must conform to the enterprise information
16.19 architecture developed by the Office of
16.20 Enterprise Technology. Spatial data must
16.21 conform to geographic information system
16.22 guidelines and standards outlined in that
16.23 architecture and adopted by the Minnesota
16.24 Geographic Data Clearinghouse at the
16.25 Land Management Information Center. A
16.26 description of these data that adheres to the
16.27 Office of Enterprise Technology geographic
16.28 metadata standards must be submitted to
16.29 the Land Management Information Center
16.30 to be made available online through the
16.31 clearinghouse and the data must be accessible
16.32 and free to the public unless made private
16.33 under the Data Practices Act, Minnesota
16.34 Statutes, chapter 13.

17.1 To the extent practicable, summary data and
17.2 results of projects funded under this section
17.3 should be readily accessible on the Internet
17.4 and identified as an environment and natural
17.5 resources trust fund project.

17.6 **Subd. 11. Project Requirements**

17.7 (a) As a condition of accepting an
17.8 appropriation in this section, any agency or
17.9 entity receiving an appropriation must, for
17.10 any project funded in whole or in part with
17.11 funds from the appropriation:

17.12 (1) comply with Minnesota Statutes, chapter
17.13 116P;

17.14 (2) plant vegetation only of native ecotypes
17.15 to Minnesota and preferably of the local
17.16 ecotype using a high diversity of species
17.17 grown as close to the restoration site as
17.18 possible;

17.19 (3) when restoring prairies:

17.20 (i) use seeds and plant materials that originate
17.21 as close to the site as possible in the same
17.22 county as the restoration site or within 25
17.23 miles of the county border, but not across
17.24 the boundary of an ecotype region. Ecotype
17.25 regions are defined by the Department of
17.26 Natural Resources map, "Minnesota Ecotype
17.27 Regions Map - County Landscape Groupings
17.28 Based on Ecological Subsections," dated
17.29 February 15, 2007;

17.30 (ii) if seeds and plant material described
17.31 in item (i) are not available, use seeds and
17.32 plant materials from within the same ecotype
17.33 region; or

18.1 (iii) if seeds and plant material described in
18.2 item (i) or (ii) are not available, use seeds
18.3 and plant materials from within the same
18.4 ecotype region or within 25 miles of the
18.5 ecotype region boundary.

18.6 Use of seeds and plant materials from beyond
18.7 the geographic areas described in this clause
18.8 must be expressly approved in the work
18.9 program;

18.10 (4) provide that all conservation easements:

18.11 (i) are perpetual;

18.12 (ii) specify the parties to an easement in the
18.13 easement;

18.14 (iii) specify all of the provisions of an
18.15 agreement that are perpetual;

18.16 (iv) are sent to the office of the
18.17 Legislative-Citizen Commission on
18.18 Minnesota Resources in an electronic format;
18.19 and

18.20 (v) include a long-term stewardship plan and
18.21 funding for monitoring and enforcing the
18.22 easement agreement;

18.23 (5) give priority in any acquisition of land
18.24 or interest in land to high quality natural
18.25 resources or conservation lands that provide
18.26 natural buffers to water resources;

18.27 (6) to ensure public accountability for
18.28 the use of public funds, provide to the
18.29 Legislative-Citizen Commission on
18.30 Minnesota Resources documentation of the
18.31 selection process used to identify parcels
18.32 acquired and provide documentation of all
18.33 related transaction costs, including but not
18.34 limited to appraisals, legal fees, recording

19.1 fees, commissions, other similar costs,
19.2 and donations. This information must be
19.3 provided for all parties involved in the
19.4 transaction. The recipient shall also report
19.5 to the Legislative-Citizen Commission on
19.6 Minnesota Resources any difference between
19.7 the acquisition amount paid to the seller
19.8 and the state-certified or state-reviewed
19.9 appraisal. Acquisition data such as appraisals
19.10 may remain private during negotiations but
19.11 must ultimately be made public according to
19.12 Minnesota Statutes, chapter 13; and
19.13 (7) give consideration to contracting with the
19.14 Minnesota Conservation Corps for contract
19.15 restoration and enhancement services.

19.16 (b) The Legislative-Citizen Commission
19.17 on Minnesota Resources shall review the
19.18 requirement in paragraph (a), clause (6),
19.19 and provide a recommendation whether
19.20 to continue or modify the requirement in
19.21 future years. The commission may waive the
19.22 application of paragraph (a), clause (6), for
19.23 specific projects.

19.24 **Subd. 12. Payment Conditions and Capital**
19.25 **Equipment Expenditures**

19.26 All agreements, grants, or contracts referred
19.27 to in this section must be administered on
19.28 a reimbursement basis unless otherwise
19.29 provided in this section. Notwithstanding
19.30 Minnesota Statutes, section 16A.41,
19.31 expenditures made on or after July 1,
19.32 2009, or the date the work program is
19.33 approved, whichever is later, are eligible for
19.34 reimbursement unless otherwise provided
19.35 in this section. Periodic payment must
19.36 be made upon receiving documentation

20.1 that the deliverable items articulated in
20.2 the approved work program have been
20.3 achieved, including partial achievements
20.4 as evidenced by approved progress reports.

20.5 Reasonable amounts may be advanced to
20.6 projects to accommodate cash flow needs or
20.7 match federal money. The advances must
20.8 be approved as part of the work program.

20.9 No expenditures for capital equipment are
20.10 allowed unless expressly authorized in the
20.11 project work program.

20.12 **Subd. 13. Purchase of Recycled and Recyclable**
20.13 **Materials**

20.14 A political subdivision, public or private
20.15 corporation, or other entity that receives an
20.16 appropriation in this section must use the
20.17 appropriation in compliance with Minnesota
20.18 Statutes, sections 16B.121, regarding
20.19 purchase of recycled, repairable, and durable
20.20 materials, and 16B.122, regarding purchase
20.21 and use of paper stock and printing.

20.22 **Subd. 14. Energy Conservation and**
20.23 **Sustainable Building Guidelines**

20.24 A recipient to whom an appropriation is made
20.25 in this section for a capital improvement
20.26 project shall ensure that the project complies
20.27 with the applicable energy conservation and
20.28 sustainable building guidelines and standards
20.29 contained in law, including Minnesota
20.30 Statutes, sections 16B.325, 216C.19, and
20.31 216C.20, and rules adopted thereunder.

20.32 The recipient may use the energy planning,
20.33 advocacy, and State Energy Office units
20.34 of the Department of Commerce to obtain
20.35 information and technical assistance on
20.36 energy conservation and alternative energy

- 21.1 development relating to the planning and
21.2 construction of the capital improvement
21.3 project.
- 21.4 **Subd. 15. Accessibility**
- 21.5 Structural and nonstructural facilities must
21.6 meet the design standards in the Americans
21.7 with Disabilities Act (ADA) accessibility
21.8 guidelines.
- 21.9 **Subd. 16. Carryforward**
- 21.10 The availability of the appropriations for the
21.11 following projects is extended to June 30,
21.12 2010:
- 21.13 (1) Laws 2005, First Special Session
21.14 chapter 1, article 2, section 11, subdivision
21.15 9, paragraph (a), completing third-party
21.16 certification of Department of Natural
21.17 Resources forest lands, as extended by Laws
21.18 2007, chapter 30, section 2, subdivision 16;
- 21.19 (2) Laws 2005, First Special Session chapter
21.20 1, article 2, section 11, subdivision 10,
21.21 paragraph (a), clean energy resource teams
21.22 and community wind energy rebate, as
21.23 amended by Laws 2006, chapter 243, section
21.24 15;
- 21.25 (3) Laws 2005, First Special Session
21.26 chapter 1, article 2, section 11, subdivision
21.27 10, paragraph (e), wind to hydrogen
21.28 demonstration, as extended by Laws 2007,
21.29 chapter 30, section 2, subdivision 16;
- 21.30 (4) Laws 2007, chapter 30, section 2,
21.31 subdivision 4, paragraph (a), forest legacy
21.32 conservation easements; and
- 21.33 (5) Laws 2007, chapter 30, section 2,
21.34 subdivision 5, paragraph (m), threat of

22.1 emerging contaminants to Upper Mississippi

22.2 walleye.

22.3 Sec. 3. Minnesota Statutes 2008, section 116P.05, subdivision 2, is amended to read:

22.4 Subd. 2. **Duties.** (a) The commission shall recommend an annual or biennial
22.5 legislative bill for appropriations from the environment and natural resources trust fund and
22.6 shall adopt a strategic plan as provided in section 116P.08. Approval of the recommended
22.7 legislative bill requires an affirmative vote of at least 12 members of the commission.

22.8 (b) The commission shall recommend expenditures to the legislature from the state
22.9 land and water conservation account in the natural resources fund.

22.10 (c) It is a condition of acceptance of the appropriations made from the Minnesota
22.11 environment and natural resources trust fund, and oil overcharge money under section
22.12 4.071, subdivision 2, that the agency or entity receiving the appropriation must submit
22.13 a work program and semiannual progress reports in the form determined by the
22.14 Legislative-Citizen Commission on Minnesota Resources, and comply with applicable
22.15 reporting requirements under section 116P.16. None of the money provided may be spent
22.16 unless the commission has approved the pertinent work program.

22.17 (d) The peer review panel created under section 116P.08 must also review, comment,
22.18 and report to the commission on research proposals applying for an appropriation from the
22.19 oil overcharge money under section 4.071, subdivision 2.

22.20 (e) The commission may adopt operating procedures to fulfill its duties under this
22.21 chapter.

22.22 (f) As part of the operating procedures, the commission shall:

22.23 (1) ensure that members' expectations are to participate in all meetings related to
22.24 funding decision recommendations;

22.25 (2) recommend adequate funding for increased citizen outreach and communications
22.26 for trust fund expenditure planning;

22.27 (3) allow administrative expenses as part of individual project expenditures based
22.28 on need;

22.29 (4) provide for project outcome evaluation;

22.30 (5) keep the grant application, administration, and review process as simple as
22.31 possible; and

22.32 (6) define and emphasize the leveraging of additional sources of money that project
22.33 proposers should consider when making trust fund proposals.

22.34 Sec. 4. Minnesota Statutes 2008, section 116P.08, subdivision 4, is amended to read:

23.1 Subd. 4. **Legislative recommendations.** (a) Funding may be provided only for
23.2 those projects that meet the categories established in subdivision 1.

23.3 (b) The commission must recommend an annual or biennial legislative bill to
23.4 make appropriations from the trust fund for the purposes provided in subdivision 1. The
23.5 recommendations must be submitted to the governor for inclusion in the biennial budget
23.6 and supplemental budget submitted to the legislature.

23.7 (c) The commission may recommend regional block grants for a portion of trust
23.8 fund expenditures to partner with existing regional organizations that have strong citizen
23.9 involvement, to address unique local needs and capacity, and to leverage all available
23.10 funding sources for projects.

23.11 (d) The commission may recommend the establishment of an ~~annual~~ emerging
23.12 issues account in its ~~annual~~ legislative bill for funding emerging issues, which come up
23.13 unexpectedly, but which still adhere to the commission's strategic plan, to be approved by
23.14 the governor after initiation and recommendation by the commission.

23.15 (e) Money in the trust fund may not be spent except under an appropriation by law.

23.16 Sec. 5. Minnesota Statutes 2008, section 116P.10, is amended to read:

23.17 **116P.10 ROYALTIES, COPYRIGHTS, PATENTS, AND SALE OF**
23.18 **PRODUCTS AND ASSETS.**

23.19 (a) This section applies to projects supported by the trust fund and the oil overcharge
23.20 money referred to in section 4.071, subdivision 2, each of which is referred to in this
23.21 section as a "fund."

23.22 (b) The fund owns and shall take title to the percentage of a royalty, copyright, or
23.23 patent resulting from a project supported by the fund equal to the percentage of the project's
23.24 total funding provided by the fund. Cash receipts resulting from a royalty, copyright, or
23.25 patent, or the sale of the fund's rights to a royalty, copyright, or patent, must be credited
23.26 immediately to the principal of the fund. Receipts from Minnesota future resources fund
23.27 projects must be credited to the trust fund. The commission may include in its ~~annual~~
23.28 legislative bill a recommendation to relinquish the ownership or rights to a royalty,
23.29 copyright, or patent resulting from a project supported by the fund to the project's proposer
23.30 when the amount of the original grant or loan, plus interest, has been repaid to the fund.

23.31 (c) If a project supported by the fund results in net income from the sale of products
23.32 or assets developed or acquired by an appropriation from the fund, the appropriation
23.33 must be repaid to the fund in an amount equal to the percentage of the project's total
23.34 funding provided by the fund. The commission may include in its ~~annual~~ legislative bill a
23.35 recommendation to relinquish the income if a plan is approved for reinvestment of the

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- 24.1 income in the project or when the amount of the original grant or loan, plus interest, has
- 24.2 been repaid to the fund.