

A bill for an act

relating to state government; appropriating money for environment and natural resources; providing for repayment of certain appropriations from the environment and natural resources trust fund; amending Minnesota Statutes 2006, section 116P.10.

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

Section 1. MINNESOTA RESOURCES APPROPRIATION.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this act. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2008" and "2009" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2008, or June 30, 2009, respectively. "The first year" is fiscal year 2008. "The second year" is fiscal year 2009. "The biennium" is fiscal years 2008 and 2009. Appropriations for the fiscal year ending June 30, 2008, are effective the day following final enactment.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2008</u>	<u>2009</u>

Sec. 2. MINNESOTA RESOURCES.

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>86,000</u>	<u>\$</u>	<u>22,866,000</u>
<u>Appropriations by Fund</u>				
<u>2008</u>		<u>2009</u>		

2.1	<u>Environment and</u>		
2.2	<u>Natural Resources</u>		
2.3	<u>Trust</u>	<u>-0-</u>	<u>22,866,000</u>
2.4	<u>Great Lakes</u>		
2.5	<u>Protection Account</u>	<u>86,000</u>	<u>-0-</u>

2.6 Appropriations are available for two
2.7 years beginning July 1, 2008, unless
2.8 otherwise stated in the appropriation. Any
2.9 unencumbered balance remaining in the first
2.10 year does not cancel and is available for the
2.11 second year.

2.12 Subd. 2. Definitions

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

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

2.20	<u>Subd. 3. Land and Habitat</u>	<u>-0-</u>	<u>15,817,000</u>
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2.21	<u>Appropriations by Fund</u>		
2.22	<u>Trust Fund</u>	<u>-0-</u>	<u>15,817,000</u>

2.23 (a) Metro Conservation Corridors (MeCC) –
2.24 Phase IV

2.25 \$3,150,000 is from the trust fund to the
2.26 commissioner of natural resources for
2.27 the fourth appropriation for acceleration
2.28 of agency programs and cooperative
2.29 agreements. Of this appropriation,
2.30 \$1,915,000 is for Department of Natural
2.31 Resources agency programs and \$1,235,000
2.32 is for agreements as follows: \$475,000 with
2.33 the Trust for Public Land; \$92,000 with
2.34 Friends of the Mississippi River; \$111,000
2.35 with Great River Greening; \$225,000 with

3.1 Minnesota Land Trust; \$225,000 with
3.2 Minnesota Valley National Wildlife Refuge
3.3 Trust, Inc.; and \$107,000 with Friends of
3.4 the Minnesota Valley for the purposes of
3.5 planning, restoring, and protecting important
3.6 natural areas in the metropolitan area, as
3.7 defined under Minnesota Statutes, section
3.8 473.121, subdivision 2, and portions of
3.9 the surrounding counties, through grants,
3.10 contracted services, conservation easements,
3.11 and fee title acquisition. Land acquired
3.12 with this appropriation must be sufficiently
3.13 improved to meet at least minimum
3.14 management standards as determined by
3.15 the commissioner of natural resources.
3.16 Expenditures are limited to the identified
3.17 project corridor areas as defined in the work
3.18 program. This appropriation may not be used
3.19 for the purchase of residential structures,
3.20 unless expressly approved in the work
3.21 program. All conservation easements must
3.22 be perpetual and have a natural resource
3.23 management plan. Any land acquired in fee
3.24 title by the commissioner of natural resources
3.25 with money from this appropriation must
3.26 be designated as an outdoor recreation unit
3.27 under Minnesota Statutes, section 86A.07.
3.28 The commissioner may similarly designate
3.29 any lands acquired in less than fee title. A
3.30 list of proposed restorations and fee title
3.31 and easement acquisitions must be provided
3.32 as part of the required work program. All
3.33 funding for conservation easements must
3.34 include a long-term stewardship plan and
3.35 funding for monitoring and enforcing the
3.36 agreement.

4.1 (b) Vermillion River Corridor Acquisition and
4.2 Restoration in Dakota County

4.3 \$400,000 is from the trust fund to the
4.4 commissioner of natural resources for
4.5 an agreement with Dakota County to
4.6 develop and implement a comprehensive
4.7 and integrated water quality, wildlife
4.8 habitat, and outdoor recreational corridor
4.9 plan in the Vermillion River watershed
4.10 through easement and fee title acquisition
4.11 and restoration. At least 90 percent of
4.12 this appropriation must be spent on the
4.13 implementation of the comprehensive plan.
4.14 A list of proposed restorations and fee title
4.15 and easement acquisitions must be provided
4.16 as part of the required work program. All
4.17 funding for conservation easements must
4.18 include a long-term stewardship plan and
4.19 funding for monitoring and enforcing the
4.20 agreement. This appropriation is available
4.21 until June 30, 2011, at which time the
4.22 project must be completed and final products
4.23 delivered, unless an earlier date is specified
4.24 in the work program. On January 2, 2009, the
4.25 unobligated balance of the appropriation for
4.26 Dakota County wildlife habitat acquisition
4.27 and development in Laws 1999, chapter 231,
4.28 section 16, subdivision 13, paragraph (m), is
4.29 transferred and added to this appropriation.

4.30 (c) Minnesota Habitat Conservation Partnership
4.31 – Phase V

4.32 \$3,150,000 is from the trust fund for the
4.33 fifth appropriation for acceleration of agency
4.34 programs and cooperative agreements. Of
4.35 this appropriation, \$250,000 is to the Board
4.36 of Water and Soil Resources; \$733,500 is

5.1 to the commissioner of natural resources
5.2 for agency programs; and \$2,166,500 is
5.3 for agreements as follows: \$420,000 with
5.4 Pheasants Forever; \$30,000 with Minnesota
5.5 Deer Hunters Association; \$597,500 with
5.6 Ducks Unlimited, Inc.; \$85,000 with
5.7 National Wild Turkey Federation; \$317,000
5.8 with the Nature Conservancy; \$210,000
5.9 with Minnesota Land Trust; \$350,000 with
5.10 the Trust for Public Land; \$50,000 with
5.11 Minnesota Valley National Wildlife Refuge
5.12 Trust, Inc.; \$30,000 with U. S. Fish and
5.13 Wildlife Service; \$30,000 with the Leech
5.14 Lake Band of Chippewa; \$27,000 with
5.15 the Fond du Lac Band of Chippewa; and
5.16 \$20,000 with Friends of Detroit Lakes
5.17 Watershed Management District to plan,
5.18 restore, and acquire fragmented landscape
5.19 corridors that connect areas of quality habitat
5.20 to sustain fish, wildlife, and plants. The
5.21 USDA-Natural Resources Conservation
5.22 Service is a cooperating partner in the
5.23 appropriation. Expenditures are limited to
5.24 the project corridor areas as defined in the
5.25 work program. Land acquired with this
5.26 appropriation must be sufficiently improved
5.27 to meet at least minimum habitat and facility
5.28 management standards as determined by
5.29 the commissioner of natural resources.
5.30 This appropriation may not be used for the
5.31 purchase of residential structures, unless
5.32 expressly approved in the work program. All
5.33 conservation easements must be perpetual
5.34 and have a natural resource management
5.35 plan. Any land acquired in fee title by the
5.36 commissioner of natural resources with

6.1 money from this appropriation must be
6.2 designated as an outdoor recreation unit
6.3 under Minnesota Statutes, section 86A.07.
6.4 The commissioner may similarly designate
6.5 any lands acquired in less than fee title. A
6.6 list of proposed restorations and fee title
6.7 and easement acquisitions must be provided
6.8 as part of the required work program. All
6.9 funding for conservation easements must
6.10 include a long-term stewardship plan and
6.11 funding for monitoring and enforcing the
6.12 agreement.

6.13 (d) Preserving the Avon Hills Landscape

6.14 \$337,000 is from the trust fund to the
6.15 commissioner of natural resources for
6.16 a grant to Saint John's Arboretum and
6.17 University for community outreach, in
6.18 cooperation with the Minnesota Land Trust;
6.19 conservation easements, in cooperation
6.20 with the Minnesota Land Trust; and local
6.21 ordinance reviews and recommendations for
6.22 the Avon Hills landscape in Stearns County.
6.23 A list of proposed fee title and easement
6.24 acquisitions must be provided as part of
6.25 the required work program. All funding
6.26 for conservation easements must include a
6.27 long-term stewardship plan and appropriate
6.28 funding for monitoring. This appropriation
6.29 is available until June 30, 2011, at which
6.30 time the project must be completed and final
6.31 products delivered, unless an earlier date is
6.32 specified in the work program.

6.33 (e) Minnesota River Valley Green Corridor Land
6.34 Protection

7.1 \$1,000,000 is from the trust fund to the
7.2 commissioner of natural resources for an
7.3 agreement with the Southwest Initiative
7.4 Foundation for planning, acquisition, and
7.5 easements in the Minnesota River Valley.
7.6 The priority for acquisition must be on
7.7 lands with native prairies, unique geological
7.8 features, fens, and wetlands not currently
7.9 under a permanent protection program. A
7.10 list of proposed restorations and fee title
7.11 and easement acquisitions must be provided
7.12 as part of the required work program. All
7.13 funding for conservation easements must
7.14 include a long-term stewardship plan and
7.15 funding for monitoring and enforcing the
7.16 agreement. No more than ten percent may be
7.17 spent on planning and management.

7.18 (f) Scientific and Natural Area Acquisition

7.19 \$1,000,000 is from the trust fund to the
7.20 commissioner of natural resources for
7.21 acquisition of scientific and natural areas in
7.22 the southern two-thirds of Minnesota. A list
7.23 of proposed acquisitions must be provided as
7.24 part of the required work program.

7.25 (g) State Land Acquisition Consolidation

7.26 \$500,000 is from the trust fund to the
7.27 commissioner of natural resources to
7.28 consolidate state land ownership through
7.29 acquisition and sale to reduce forest
7.30 fragmentation and enhance management
7.31 efficiency. A list of proposed fee title and
7.32 easement acquisitions must be provided
7.33 as part of the required work program. All
7.34 funding for conservation easements must
7.35 include a long-term stewardship plan and

8.1 funding for monitoring and enforcing the
8.2 agreement. Minnesota Statutes, sections
8.3 94.16 and 94.165, apply to the proceeds
8.4 from the sale of land. For this appropriation,
8.5 the Department of Natural Resources must
8.6 establish a separate revolving account under
8.7 Minnesota Statutes, section 94.165, for the
8.8 use and accounting of trust fund money. This
8.9 appropriation is available until June 30, 2011,
8.10 at which time the project must be completed
8.11 and final products delivered, unless an earlier
8.12 date is specified in the work program.

8.13 (h) State Park and Trail Land Acquisition

8.14 \$1,500,000 is from the trust fund to the
8.15 commissioner of natural resources to acquire
8.16 land for designated state trail alignments and
8.17 in-holdings for state parks. Land acquired
8.18 with this appropriation must be sufficiently
8.19 improved to meet at least minimum
8.20 management standards as determined by the
8.21 commissioner of natural resources. A list of
8.22 proposed acquisitions must be provided as
8.23 part of the required work program.

8.24 (i) Metropolitan Regional Park System Land
8.25 Acquisition

8.26 \$1,500,000 is from the trust fund to the
8.27 Metropolitan Council for subgrants for the
8.28 acquisition of lands within the approved park
8.29 unit boundaries of the metropolitan regional
8.30 park system. This appropriation may not
8.31 be used for the purchase of residential
8.32 structures. Subdivision 12 applies to grants
8.33 awarded in the approved work program.
8.34 A list of proposed fee title and easement
8.35 acquisitions must be provided as part of

9.1 the required work program. All funding
9.2 for conservation easements must include a
9.3 long-term stewardship plan and funding for
9.4 monitoring and enforcing the agreement.
9.5 This appropriation must be matched by at
9.6 least 40 percent of nonstate money and must
9.7 be committed by December 31, 2008, or the
9.8 appropriation cancels. This appropriation
9.9 is available until June 30, 2011, at which
9.10 time the project must be completed and final
9.11 products delivered, unless an earlier date is
9.12 specified in the work program.

9.13 (j) Local Initiative Grants – Regional Parks and
9.14 Natural Areas

9.15 \$1,000,000 is from the trust fund to the
9.16 commissioner of natural resources for a grant
9.17 to Wright County for land acquisition for a
9.18 proposed regional park on the Bertram Chain
9.19 of Lakes in Wright County. If the acquisition
9.20 for a proposed regional park on the Bertram
9.21 Chain of Lakes is not completed by June 30,
9.22 2010, then the appropriation is available for
9.23 matching grants to other local governments
9.24 for acquisition of regional parks and natural
9.25 and scenic areas as provided in Minnesota
9.26 Statutes, section 85.019, subdivisions 2,
9.27 paragraph (b), and 4a. This appropriation
9.28 is available until June 30, 2011, at which
9.29 time the project must be completed and final
9.30 products delivered, unless an earlier date is
9.31 specified in the work program.

9.32 (k) Conservation Partners/Environmental
9.33 Partnerships Matching Grant Program

9.34 \$150,000 is from the trust fund to the
9.35 commissioner of natural resources to provide
9.36 matching grants to local governments and

10.1 private, nonprofit organizations for projects
10.2 that enhance fish, wildlife, and native plant
10.3 habitat, provide related research or surveys,
10.4 and protect and enhance the state's natural
10.5 environment.

10.6 (l) County Trail System Design

10.7 \$175,000 is from the trust fund to the Board
10.8 of Regents of the University of Minnesota to
10.9 design recreational trail systems for Lyon,
10.10 Brown, Redwood, and Renville Counties.

10.11 (m) Accelerated Prairie Management, Survey,
10.12 Acquisition, and Evaluation

10.13 \$1,250,000 is from the trust fund to the
10.14 commissioner of natural resources to provide
10.15 for a rapid assessment of remaining native
10.16 prairie, accelerate the Minnesota county
10.17 biological survey in the prairie region,
10.18 provide technical assistance to private prairie
10.19 landowners, accelerate management of
10.20 public and private prairie lands, evaluate and
10.21 monitor prairie conditions and associated
10.22 wildlife, and acquire prairie natural areas,
10.23 prairie bank easements, and buffers. At
10.24 least \$475,000 of this appropriation must
10.25 be spent on acquisition. A list of proposed
10.26 restorations and fee title and easement
10.27 acquisitions must be provided as part of
10.28 the required work program. All funding
10.29 for conservation easements must include a
10.30 long-term stewardship plan and funding for
10.31 monitoring and enforcing the agreement.

10.32 (n) Prairie Ecosystem Restoration

10.33 \$80,000 is from the trust fund to the
10.34 Board of Water and Soil Resources for an
10.35 agreement with the Martin County Soil and

- 11.1 Water Conservation District to collect and
11.2 propagate local ecotype native plant materials
11.3 from prairie remnants for establishment on
11.4 lands with perpetual conservation protection
11.5 in Martin County. If the Martin County Soil
11.6 and Water Conservation District sells seeds
11.7 or plants that were collected or propagated
11.8 using money from this appropriation, the net
11.9 proceeds of the sale must be repaid to the
11.10 trust fund.
- 11.11 (o) Best Practices for Native Prairie Management
- 11.12 \$45,000 is from the trust fund to the
11.13 commissioner of natural resources for an
11.14 agreement with the Minnesota Recreation and
11.15 Park Association to provide information on
11.16 best practices for native prairie management
11.17 through field demonstrations, regional
11.18 workshops, and the Web.
- 11.19 (p) Impacts of Climate Change and CO₂ on Prairie
11.20 and Forest Production
- 11.21 \$330,000 is from the trust fund to the Board
11.22 of Regents of the University of Minnesota
11.23 to accelerate research simulating future
11.24 changing CO₂, rainfall, and temperature
11.25 level impacts on biomass production, carbon
11.26 sequestration, and water quality in prairie
11.27 and tree species. This appropriation is
11.28 available until June 30, 2011, at which time
11.29 the project must be completed and final
11.30 products delivered, unless an earlier date is
11.31 specified in the work program.
- 11.32 (q) Biofuel Production and Wildlife Conservation
11.33 in Working Prairies
- 11.34 \$250,000 is from the trust fund to the Board
11.35 of Regents of the University of Minnesota to

12.1	<u>research and evaluate methods of managing</u>		
12.2	<u>diverse working prairies for wildlife and</u>		
12.3	<u>renewable bioenergy production. On June</u>		
12.4	<u>1, 2008, the \$500,000 appropriation for the</u>		
12.5	<u>Phillips biomass community energy system</u>		
12.6	<u>under Laws 2006, chapter 243, section 20,</u>		
12.7	<u>subdivision 3, is transferred and added to</u>		
12.8	<u>this appropriation. This appropriation is</u>		
12.9	<u>available until June 30, 2011, at which time</u>		
12.10	<u>the project must be completed and final</u>		
12.11	<u>products delivered, unless an earlier date is</u>		
12.12	<u>specified in the work program.</u>		
12.13	<u>Subd. 4. Water Resources</u>	<u>86,000</u>	<u>3,480,000</u>
12.14	<u>Appropriations by Fund</u>		
12.15	<u>Trust Fund</u>	<u>-0-</u>	<u>3,480,000</u>
12.16	<u>Great Lakes</u>		
12.17	<u>Protection Account</u>	<u>86,000</u>	<u>-0-</u>
12.18	<u>(a) Future of Energy and Minnesota Water</u>		
12.19	<u>Resources</u>		
12.20	<u>\$270,000 is from the trust fund to the Board</u>		
12.21	<u>of Regents of the University of Minnesota to</u>		
12.22	<u>spatially model water demand in Minnesota</u>		
12.23	<u>under differing energy production scenarios</u>		
12.24	<u>and develop a Web-based tool for comparing</u>		
12.25	<u>policy scenarios impacts on water resources</u>		
12.26	<u>in the state.</u>		
12.27	<u>(b) Accelerating Plans for Integrated Control of</u>		
12.28	<u>the Common Carp</u>		
12.29	<u>\$550,000 is from the trust fund to the Board</u>		
12.30	<u>of Regents of the University of Minnesota</u>		
12.31	<u>to accelerate research on new approaches</u>		
12.32	<u>to control the invasive common carp. This</u>		
12.33	<u>appropriation is available until June 30, 2011,</u>		
12.34	<u>at which time the project must be completed</u>		
12.35	<u>and final products delivered, unless an earlier</u>		
12.36	<u>date is specified in the work program.</u>		

13.1 (c) Testing Pesticides and Degradates in Public
13.2 Drinking Water

13.3 \$368,000 is from the trust fund to the
13.4 commissioner of agriculture, in cooperation
13.5 with the commissioner of health, to purchase
13.6 equipment and supplies to accelerate the
13.7 sampling of public water supplies for the
13.8 presence and concentration of pesticides and
13.9 their degradates for health risk assessments.

13.10 (d) Assessment of Riparian Buffers in the
13.11 Whitewater River Watershed

13.12 \$52,000 is from the trust fund to the Board of
13.13 Water and Soil Resources for an agreement
13.14 with the Whitewater Joint Powers Board to
13.15 inventory streams and adjacent land use and
13.16 survey riparian landowners to assist in the
13.17 prioritization of restoration efforts to improve
13.18 water quality, habitat, and future enforcement
13.19 of riparian buffers in the southeast ten-county
13.20 region of the Southeast Minnesota Water
13.21 Resources Board.

13.22 (e) Intralake Zoning to Protect Sensitive
13.23 Lakeshore Areas

13.24 \$125,000 is from the trust fund to the
13.25 commissioner of natural resources for the
13.26 second appropriation for a cooperative
13.27 effort with Cass County to identify sensitive
13.28 shorelines for the highest priority lakes and
13.29 develop innovative zoning in Cass County to
13.30 protect water quality and near-shore habitat.
13.31 This appropriation is available until June
13.32 30, 2011, at which time the project must
13.33 be completed and final products delivered,
13.34 unless an earlier date is specified in the work
13.35 program.

- 14.1 (f) Native Shoreland Buffer Incentives Program
- 14.2 \$225,000 is from the trust fund to the
- 14.3 commissioner of natural resources to
- 14.4 accelerate the native shoreland buffer
- 14.5 incentive program through market research,
- 14.6 technical assistance, and competitive grants
- 14.7 to local governments for creating and
- 14.8 implementing shoreland buffer incentive
- 14.9 programs. Grant recipients must have current
- 14.10 shoreline management requirements and
- 14.11 effective enforcement. This appropriation
- 14.12 is available until June 30, 2011, at which
- 14.13 time the project must be completed and final
- 14.14 products delivered, unless an earlier date is
- 14.15 specified in the work program.
- 14.16 (g) Southeast Minnesota Stream Restoration
- 14.17 Projects
- 14.18 \$240,000 is from the trust fund to the
- 14.19 commissioner of natural resources for an
- 14.20 agreement with Trout Unlimited to accelerate
- 14.21 stream bank stabilization projects on at least
- 14.22 six miles of streams through restoration,
- 14.23 providing technical assistance, and
- 14.24 conducting workshops. This appropriation
- 14.25 is available until June 30, 2011, at which
- 14.26 time the project must be completed and final
- 14.27 products delivered, unless an earlier date is
- 14.28 specified in the work program.
- 14.29 (h) South-Central Minnesota Groundwater
- 14.30 Monitoring and County Geologic Atlases
- 14.31 \$1,600,000 is from the trust fund for
- 14.32 collection and interpretation of subsurface
- 14.33 geological information and acceleration of
- 14.34 the county geologic atlas program. \$706,000
- 14.35 of this appropriation is to the Board of

15.1 Regents of the University of Minnesota
15.2 for the Geological Survey to begin county
15.3 geologic atlases in three counties. \$894,000
15.4 of this appropriation is to the commissioner
15.5 of natural resources to investigate the
15.6 physical and recharge characteristics of
15.7 the Mt. Simon aquifer. This appropriation
15.8 represents a continuing effort to complete
15.9 the county geologic atlases throughout the
15.10 state. This appropriation is available until
15.11 June 30, 2011, at which time the project must
15.12 be completed and final products delivered,
15.13 unless an earlier date is specified in the work
15.14 program.

15.15 (i) Lake Superior Research

15.16 \$86,000 is from the Great Lakes protection
15.17 account to the Board of Regents of the
15.18 University of Minnesota for the Large Lakes
15.19 Observatory for research on Lake Superior
15.20 waters. This appropriation is added to Laws
15.21 2006, chapter 243, section 20, subdivision 6,
15.22 Lake Superior research. This appropriation
15.23 is effective the day following final enactment
15.24 and is available until June 30, 2011, at which
15.25 time the project must be completed and final
15.26 products delivered, unless an earlier date is
15.27 specified in the work program.

15.28 (j) Eurasian Water Milfoil Control Research

15.29 \$50,000 is from the trust fund to the Board
15.30 of Regents of the University of Minnesota
15.31 to accelerate research on new approaches to
15.32 control Eurasian water milfoil to be tested
15.33 on Green Lake in Kandiyohi County. Up to
15.34 \$50,000 in additional funds from nonstate
15.35 sources may be used for this study. This

16.1 appropriation is available until June 30, 2011,
 16.2 at which time the project must be completed
 16.3 and final products delivered, unless an earlier
 16.4 date is specified in the work program.

16.5 Subd. 5. Natural Resource Information -0- 2,365,000

16.6 Appropriations by Fund
 16.7 Trust Fund -0- 2,365,000

16.8 (a) Updating the National Wetlands Inventory for
 16.9 Minnesota

16.10 \$550,000 is from the trust fund to the
 16.11 commissioner of natural resources to begin
 16.12 updating the National Wetlands Inventory
 16.13 through standards development, mapping,
 16.14 training, and imagery acquisition. This is
 16.15 the first phase of an overall effort to update
 16.16 the inventory statewide. This appropriation
 16.17 is available until June 30, 2011, at which
 16.18 time the project must be completed and final
 16.19 products delivered, unless an earlier date is
 16.20 specified in the work program.

16.21 (b) Soil Survey

16.22 \$400,000 is from the trust fund to the Board
 16.23 of Water and Soil Resources for soil survey
 16.24 mapping and interpretation efforts in areas of
 16.25 the state, including Crow Wing, Pine, Cook,
 16.26 Lake, and Isanti Counties, and to accelerate
 16.27 the delivery of soils data through the Internet
 16.28 as a Web-based soil survey. The new soil
 16.29 surveys must be done on a cost-share basis
 16.30 with local and federal funds.

16.31 (c) Updating Precipitation Intensities for Runoff
 16.32 Estimation and Infrastructure Designs

16.33 \$100,000 is from the trust fund to the
 16.34 commissioner of the Pollution Control
 16.35 Agency for a cooperative agreement with

17.1 the National Oceanic and Atmospheric
17.2 Administration to partially fund a multistate
17.3 effort to obtain updated climate change
17.4 related rainfall frequencies to enhance
17.5 engineering of storm water conveyance and
17.6 treatment systems and roads. The acquired
17.7 data shall be distributed free of charge. This
17.8 appropriation is available until June 30, 2011,
17.9 at which time the project must be completed
17.10 and final products delivered, unless an earlier
17.11 date is specified in the work program.
17.12 (d) Minnesota Breeding Bird Atlas

17.13 \$270,000 is from the trust fund to develop a
17.14 statewide survey of Minnesota breeding bird
17.15 distribution and create related publications,
17.16 including a book and online atlas with
17.17 distribution maps and breeding status.
17.18 Of this appropriation, \$169,000 is to the
17.19 commissioner of natural resources for an
17.20 agreement with Audubon Minnesota and
17.21 \$101,000 is to the Board of Regents of the
17.22 University of Minnesota for the Natural
17.23 Resources Research Institute. The atlas must
17.24 be available for downloading on the Internet
17.25 free of charge.
17.26 (e) Restorable Wetlands Inventory

17.27 \$245,000 is from the trust fund to the
17.28 commissioner of natural resources for an
17.29 agreement with Ducks Unlimited, Inc.,
17.30 to continue the inventory, mapping, and
17.31 digitizing of drained restorable wetlands in
17.32 the southwest prairie region of Minnesota.
17.33 This appropriation is available until June
17.34 30, 2011, at which time the project must
17.35 be completed and final products delivered,

18.1 unless an earlier date is specified in the work
18.2 program.

18.3 (f) Wildlife Disease Data Surveillance and
18.4 Analysis

18.5 \$100,000 is from the trust fund to the Board
18.6 of Regents of the University of Minnesota
18.7 for the Raptor Center to develop a GIS-based
18.8 database that catalogs symptoms and
18.9 conditions observed in injured wildlife.

18.10 (g) Conservation Easement Stewardship,
18.11 Oversight, and Maintenance

18.12 \$180,000 is from the trust fund to the Board
18.13 of Water and Soil Resources to enhance
18.14 long-term stewardship, oversight, and
18.15 maintenance of conservation easements
18.16 held by the board and to update the current
18.17 easement database. This effort must be
18.18 done in cooperation with the Department
18.19 of Natural Resources. This appropriation
18.20 is available until June 30, 2011, at which
18.21 time the project must be completed and final
18.22 products delivered, unless an earlier date is
18.23 specified in the work program.

18.24 (h) Conservation Easement Stewardship and
18.25 Enforcement Program Plan

18.26 \$520,000 is from the trust fund to the
18.27 commissioner of natural resources to
18.28 inventory and digitize the department's
18.29 conservation easements and prepare a
18.30 plan for monitoring, stewardship, and
18.31 enforcement. This effort must be done in
18.32 cooperation with the Board of Water and Soil
18.33 Resources. This appropriation is available
18.34 until June 30, 2011, at which time the
18.35 project must be completed and final products

19.1	<u>delivered, unless an earlier date is specified</u>		
19.2	<u>in the work program.</u>		
19.3	<u>Subd. 6. Environmental Education</u>	<u>-0-</u>	<u>1,099,000</u>
19.4	<u>Appropriations by Fund</u>		
19.5	<u>Trust Fund</u>	<u>-0-</u>	<u>1,099,000</u>
19.6	<u>(a) Waters of Minnesota Documentary on</u>		
19.7	<u>Watersheds</u>		
19.8	<u>\$349,000 is from the trust fund to the</u>		
19.9	<u>Board of Regents of the University of</u>		
19.10	<u>Minnesota for the Bell Museum of Natural</u>		
19.11	<u>History to begin the development of an</u>		
19.12	<u>educational documentary television series on</u>		
19.13	<u>the waters of Minnesota designed to promote</u>		
19.14	<u>watershed understanding and citizen action</u>		
19.15	<u>in protecting, restoring, and conserving water</u>		
19.16	<u>resources. This appropriation is available</u>		
19.17	<u>until June 30, 2011, at which time the</u>		
19.18	<u>project must be completed and final products</u>		
19.19	<u>delivered, unless an earlier date is specified</u>		
19.20	<u>in the work program.</u>		
19.21	<u>(b) Global Warming - Reducing Carbon Footprint</u>		
19.22	<u>of Minnesota Schools</u>		
19.23	<u>\$750,000 is from the trust fund to the</u>		
19.24	<u>commissioner of the Pollution Control</u>		
19.25	<u>Agency to provide student-focused grants to</u>		
19.26	<u>high schools, colleges, and universities to</u>		
19.27	<u>identify their carbon footprints and develop</u>		
19.28	<u>and implement innovative plans to reduce</u>		
19.29	<u>carbon emissions. This appropriation is</u>		
19.30	<u>available until June 30, 2011, at which time</u>		
19.31	<u>the project must be completed and final</u>		
19.32	<u>products delivered, unless an earlier date is</u>		
19.33	<u>specified in the work program.</u>		
19.34	<u>Subd. 7. Emerging Issues Account</u>	<u>-0-</u>	<u>105,000</u>

20.1 \$105,000 is from the trust fund for an
20.2 emerging issues account as authorized
20.3 under Minnesota Statutes, section 116P.08,
20.4 subdivision 4, paragraph (d).

20.5 **Subd. 8. Availability of Appropriations**

20.6 Unless otherwise provided, the amounts in
20.7 this section are available until June 30, 2010,
20.8 when projects must be completed and final
20.9 products delivered. For acquisition of real
20.10 property, the amounts in this section are
20.11 available until June 30, 2011, if a binding
20.12 contract is entered into by June 30, 2010,
20.13 and closed not later than June 30, 2011. The
20.14 time period for the amounts available in
20.15 this section may be extended by up to one
20.16 year through an approved work program. If
20.17 a project receives a federal grant, the time
20.18 period of the appropriation is extended to
20.19 equal the federal grant period.

20.20 **Subd. 9. Leveraged Funds for Real Property**
20.21 **Interest Requirement**

20.22 The work program for every appropriation
20.23 under this section for acquisition of a real
20.24 property interest shall identify nonstate
20.25 leveraged funds and a plan for expenditure of
20.26 funds to maximize the benefit of the trust fund
20.27 allocation. Any work program that proposes
20.28 materially less leverage than the proposal
20.29 shall be brought to the Legislative-Citizen
20.30 Commission on Minnesota Resources for
20.31 review and approval or disapproval. The
20.32 final report of each project shall identify
20.33 all leverage obtained. Leveraged funds
20.34 shall be spent concurrently with trust fund
20.35 appropriations to the extent possible.

21.1 Subd. 10. Data Availability Requirements

21.2 Data collected by the projects funded under
21.3 this section that have value for planning and
21.4 management of natural resource, emergency
21.5 preparedness, and infrastructure investments
21.6 must conform to the enterprise information
21.7 architecture developed by the Office of
21.8 Enterprise Technology. Spatial data must
21.9 conform to geographic information system
21.10 guidelines and standards outlined in that
21.11 architecture and adopted by the Minnesota
21.12 Geographic Data Clearinghouse at the
21.13 Land Management Information Center. A
21.14 description of these data that adheres to the
21.15 Office of Enterprise Technology geographic
21.16 metadata standards must be submitted to
21.17 the Land Management Information Center
21.18 to be made available online through the
21.19 clearinghouse and the data must be accessible
21.20 and free to the public unless made private
21.21 under the Data Practices Act, Minnesota
21.22 Statutes, chapter 13.

21.23 To the extent practicable, summary data and
21.24 results of projects funded under this section
21.25 should be readily accessible on the Internet
21.26 and identified as an environment and natural
21.27 resources trust fund project.

21.28 Subd. 11. Project Requirements

21.29 As a condition of accepting an appropriation
21.30 in this section, any agency or entity receiving
21.31 the appropriation must, for any project
21.32 funded in whole or in part with funds from
21.33 this appropriation:

- 22.1 (1) comply with Minnesota Statutes, chapter
22.2 116P;
- 22.3 (2) plant vegetation only of native ecotypes
22.4 to Minnesota and preferably of the local
22.5 ecotype using a high diversity of species
22.6 grown as close to the restoration site as
22.7 possible;
- 22.8 (3) when restoring prairies:
- 22.9 (i) the seeds and plant materials must
22.10 originate in the same county as the
22.11 restoration site or within 25 miles of the
22.12 county border, but not across the boundary
22.13 of an ecotype region. Ecotype regions
22.14 are defined by the Department of Natural
22.15 Resources map, "Minnesota Ecotype Regions
22.16 Map - County Landscape Groupings Based
22.17 on Ecological Subsections," dated February
22.18 15, 2007;
- 22.19 (ii) if seeds and plant material described in
22.20 item (i) are not available, then the restoration
22.21 must use seeds and plant materials from
22.22 within the same ecotype region; or
- 22.23 (iii) if seeds and plant material described
22.24 in item (i) or (ii) are not available, then
22.25 the restoration must use seeds and plant
22.26 material from within the same ecotype region
22.27 or within 25 miles of the ecotype region
22.28 boundary.
- 22.29 Use of seeds and plant materials from beyond
22.30 the geographic areas described in this clause
22.31 must be expressly approved in the work
22.32 program;
- 22.33 (4) provide that all conservation easements:
- 22.34 (i) are perpetual;

23.1 (ii) specify the parties to an easement in the
23.2 easement;

23.3 (iii) specify all of the provisions of an
23.4 agreement that are perpetual;

23.5 (iv) are sent to the commission office in an
23.6 electronic format; and

23.7 (v) include a long-term stewardship plan and
23.8 funding for monitoring and enforcing the
23.9 easement agreement;

23.10 (5) give priority in any acquisition of land
23.11 or interest in land to high quality natural
23.12 resources or conservation lands that provide
23.13 natural buffers to water resources; and

23.14 (6) provide documentation to the
23.15 Legislative-Citizen Commission on
23.16 Minnesota Resources of the selection process
23.17 used to identify parcels acquired and provide
23.18 documentation of all related transaction
23.19 costs, including but not limited to appraisals,
23.20 legal fees, recording fees, commissions,
23.21 other similar costs, and donations. This
23.22 information must be provided for all parties
23.23 involved in the transaction. The recipient
23.24 shall also report to the Legislative-Citizen
23.25 Commission on Minnesota Resources any
23.26 difference between the acquisition amount
23.27 paid to the seller and the state certified or
23.28 state reviewed appraisal. Appropriate data
23.29 such as appraisals may remain private during
23.30 negotiations but must ultimately be made
23.31 public according to Minnesota Statutes,
23.32 chapter 13.

23.33 **Subd. 12. Payment Conditions and Capital**
23.34 **Equipment Expenditures**

24.1 All agreements, grants, or contracts referred
24.2 to in this section must be administered on
24.3 a reimbursement basis unless otherwise
24.4 provided in this section. Notwithstanding
24.5 Minnesota Statutes, section 16A.41,
24.6 expenditures made on or after July 1,
24.7 2008, or the date the work program is
24.8 approved, whichever is later, are eligible for
24.9 reimbursement unless otherwise provided
24.10 in this section. Periodic payment must
24.11 be made upon receiving documentation
24.12 that the deliverable items articulated in
24.13 the approved work program have been
24.14 achieved, including partial achievements
24.15 as evidenced by approved progress reports.
24.16 Reasonable amounts may be advanced to
24.17 projects to accommodate cash flow needs or
24.18 match federal money. The advances must
24.19 be approved as part of the work program.
24.20 No expenditures for capital equipment are
24.21 allowed unless expressly authorized in the
24.22 project work program.
24.23 **Subd. 13. Purchase of Recycled and Recyclable**
24.24 **Materials**

24.25 A political subdivision, public or private
24.26 corporation, or other entity that receives
24.27 an appropriation in this section must use
24.28 the appropriation in compliance with
24.29 Minnesota Statutes, sections 16B.121 and
24.30 16B.122, requiring the purchase of recycled,
24.31 repairable, and durable materials; the
24.32 purchase of uncoated paper stock; and the
24.33 use of soy-based ink.
24.34 **Subd. 14. Energy Conservation and**
24.35 **Sustainable Building Guidelines**

25.1 A recipient to whom an appropriation is made
25.2 in this section for a capital improvement
25.3 project shall ensure that the project complies
25.4 with the applicable energy conservation and
25.5 sustainable building guidelines and standards
25.6 contained in law, including Minnesota
25.7 Statutes, sections 16B.325, 216C.19, and
25.8 216C.20, and rules adopted thereunder.

25.9 The recipient may use the energy planning,
25.10 advocacy, and State Energy Office units
25.11 of the Department of Commerce to obtain
25.12 information and technical assistance on
25.13 energy conservation and alternative energy
25.14 development relating to the planning and
25.15 construction of the capital improvement
25.16 project.

25.17 Subd. 15. **Accessibility**

25.18 Structural and nonstructural facilities must
25.19 meet the design standards in the Americans
25.20 with Disability Act (ADA) accessibility
25.21 guidelines.

25.22 Subd. 16. **Carryforward**

25.23 (a) The availability of the appropriations for
25.24 the following projects are extended to June
25.25 30, 2009:

25.26 (1) Laws 2005, First Special Session chapter
25.27 1, article 2, section 11, subdivision 6,
25.28 paragraph (h), as extended by Laws 2007,
25.29 chapter 57, article 1, section 4, subdivision 6,
25.30 Paul Bunyan State Trail connection; and

25.31 (2) Laws 2005, First Special Session
25.32 chapter 1, article 2, section 11, subdivision
25.33 7, paragraph (j), improving impaired
25.34 watersheds conservation drainage research.

26.1 (b) The availability of the appropriations for
26.2 the following projects are extended to June
26.3 30, 2010:

26.4 (1) Laws 2005, First Special Session chapter
26.5 1, article 2, section 11, subdivision 6,
26.6 paragraph (e), metropolitan regional parks
26.7 acquisition, rehabilitation, and development;

26.8 (2) Laws 2005, First Special Session chapter
26.9 1, article 2, section 11, subdivision 6,
26.10 paragraph (p), land acquisition, Minnesota
26.11 Landscape Arboretum;

26.12 (3) Laws 2005, First Special Session chapter
26.13 1, article 2, section 11, subdivision 7,
26.14 paragraph (i), improving water quality on the
26.15 central sands; and

26.16 (4) Laws 2003, chapter 128, article 1,
26.17 section 9, subdivision 6, paragraph (l),
26.18 as amended by Laws 2005, First Special
26.19 Session chapter 1, article 2, section 150, as
26.20 extended by Laws 2006, chapter 243, section
26.21 16, land acquisition, Minnesota Landscape
26.22 Arboretum.

26.23 Sec. 3. Minnesota Statutes 2006, section 116P.10, is amended to read:

26.24 **116P.10 ROYALTIES, COPYRIGHTS, PATENTS, AND SALE OF**
26.25 **PRODUCTS AND ASSETS.**

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

26.29 (b) The fund owns and shall take title to the percentage of a royalty, copyright,
26.30 or patent resulting from a project supported by the fund equal to the percentage of the
26.31 project's total funding provided by the fund. Cash receipts resulting from a royalty,
26.32 copyright, or patent, or the sale of the fund's rights to a royalty, copyright, or patent, must
26.33 be credited immediately to the principal of the fund. Receipts from Minnesota future
26.34 resources fund projects must be credited to the trust fund. ~~Before a project is included~~

27.1 ~~in the budget plan,~~ The commission may ~~vote~~ include in its annual legislative bill a
27.2 recommendation to relinquish the ownership or rights to a royalty, copyright, or patent
27.3 resulting from a project supported by the fund to the project's proposer when the amount
27.4 of the original grant or loan, plus interest, has been repaid to the fund.

27.5 (c) If a project supported by the fund results in net income from the sale of products
27.6 or assets developed or acquired by an appropriation from the fund, the appropriation
27.7 must be repaid to the fund in an amount equal to the percentage of the project's total
27.8 funding provided by the fund. The commission may include in its annual legislative bill a
27.9 recommendation to relinquish the income if a plan is approved for reinvestment of the
27.10 income in the project or when the amount of the original grant or loan, plus interest, has
27.11 been repaid to the fund.