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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1926

02/25/2014 Authored by Hansen, McNamara, Lillie and Freiberg

The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance

03/06/2014 Adoption of Report: Amended and re-referred to the Committee on Legacy

1.1 A bill for an act
1.2 relating to natural resources; appropriating money from outdoor heritage
1.3 fund; modifying restoration evaluation requirements; modifying requirements
1.4 for acquisition of real property with money from outdoor heritage fund;
1.5 amending Minnesota Statutes 2012, section 97A.056, subdivision 10, by adding
1.6 subdivisions.

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

1.8 Section 1. OUTDOOR HERITAGE APPROPRIATION.

1.9 The sums shown in the columns marked "Appropriations" are appropriated to the
1.10 agencies and for the purposes specified in this act. The appropriations are from the
1.11 outdoor heritage fund for the fiscal year indicated for each purpose. The figures "2014"
1.12 and "2015" used in this act mean that the appropriations listed under them are available for
1.13 the fiscal year ending June 30, 2014, or June 30, 2015, respectively. "The first year" is
1.14 fiscal year 2014. "The second year" is fiscal year 2015. "The biennium" is fiscal years
1.15 2014 and 2015. The appropriations in this act are onetime.

Table with 2 columns: Year (2014, 2015) and Appropriations Available for the Year Ending June 30.

1.20 Sec. 2. OUTDOOR HERITAGE FUND

1.21 Subdivision 1. Total Appropriation \$ -0- \$ 108,620,000

1.22 This appropriation is from the outdoor
1.23 heritage fund. The amounts that may be
1.24 spent for each purpose are specified in the
1.25 following subdivisions.

2.1 Subd. 2. **Prairies** -0- 37,435,000

2.2 **(a) DNR Wildlife Management Area and**

2.3 **Scientific and Natural Area Acquisition -**

2.4 **Phase VI**

2.5 \$8,145,000 in the second year is to the

2.6 commissioner of natural resources to acquire

2.7 land in fee for wildlife management area

2.8 purposes under Minnesota Statutes, section

2.9 86A.05, subdivision 8, and to acquire

2.10 land in fee for scientific and natural area

2.11 purposes under Minnesota Statutes, section

2.12 86A.05, subdivision 5. Of this amount,

2.13 \$4,250,000 is for the Vermillion River

2.14 Wildlife Management Area addition in

2.15 Dakota County. Any funds not spent on

2.16 the Vermillion River Wildlife Management

2.17 Area addition must be used for acquisition

2.18 of land in the seven-county metropolitan

2.19 area. Lands acquired with this appropriation

2.20 may not be used for emergency haying

2.21 and grazing in response to federal or state

2.22 disaster declarations. Conservation grazing

2.23 under a management plan that is already

2.24 being implemented may continue. Subject

2.25 to the evaluation criteria under Minnesota

2.26 Rules, part 6136.0900, priority must be

2.27 given to acquisition of lands that are eligible

2.28 for the native prairie bank under Minnesota

2.29 Statutes, section 84.96, or lands adjacent to

2.30 protected native prairie. A list of proposed

2.31 land and permanent conservation easement

2.32 acquisitions must be provided as part of the

2.33 required accomplishment plan.

2.34 **(b) Accelerating Wildlife Management**

2.35 **Area Acquisition - Phase VI**

3.1 \$10,350,000 in the second year is to the
3.2 commissioner of natural resources for an
3.3 agreement with Pheasants Forever to acquire
3.4 land in fee for wildlife management area
3.5 purposes under Minnesota Statutes, section
3.6 86A.05, subdivision 8. Lands acquired
3.7 with this appropriation may not be used for
3.8 emergency haying and grazing in response
3.9 to federal or state disaster declarations.
3.10 Conservation grazing under a management
3.11 plan that is already being implemented may
3.12 continue. Subject to the evaluation criteria
3.13 under Minnesota Rules, part 6136.0900,
3.14 priority must be given to acquisition of
3.15 lands that are eligible for the native prairie
3.16 bank under Minnesota Statutes, section
3.17 84.96, or lands adjacent to protected native
3.18 prairie. A list of proposed land acquisitions
3.19 must be provided as part of the required
3.20 accomplishment plan.

3.21 **(c) Minnesota Prairie Recovery Project -**
3.22 **Phase V**

3.23 \$3,940,000 in the second year is to the
3.24 commissioner of natural resources for a
3.25 contract with The Nature Conservancy
3.26 to acquire native prairie, wetlands, and
3.27 savanna and restore and enhance grasslands,
3.28 wetlands, and savanna. A list of proposed
3.29 land acquisitions must be provided as part of
3.30 the required accomplishment plan and must
3.31 be consistent with the priorities identified
3.32 in the Minnesota Prairie Conservation Plan.
3.33 Lands acquired with this appropriation
3.34 may not be used for emergency haying and
3.35 grazing in response to federal or state disaster
3.36 declarations. Conservation grazing under

4.1 a management plan that is already being
4.2 implemented may continue. Subject to the
4.3 evaluation criteria under Minnesota Rules,
4.4 part 6136.0900, priority must be given to
4.5 acquisition of lands that are eligible for the
4.6 native prairie bank under Minnesota Statutes,
4.7 section 84.96, or lands adjacent to protected
4.8 native prairie. Annual income statements
4.9 and balance sheets for income and expenses
4.10 from land acquired with this appropriation
4.11 must be submitted to the Lessard-Sams
4.12 Outdoor Heritage Council no later than 180
4.13 days following the close of The Nature
4.14 Conservancy's fiscal year.

4.15 **(d) Northern Tallgrass Prairie National**
4.16 **Wildlife Refuge Land Acquisition - Phase**

4.17 **V**

4.18 \$2,450,000 in the second year is to the
4.19 commissioner of natural resources for a
4.20 contract with The Nature Conservancy in
4.21 cooperation with the United States Fish
4.22 and Wildlife Service to acquire land in
4.23 fee or permanent conservation easements
4.24 within the Northern Tallgrass Prairie Habitat
4.25 Preservation Area in western Minnesota for
4.26 addition to the Northern Tallgrass Prairie
4.27 National Wildlife Refuge. Lands acquired
4.28 with this appropriation may not be used for
4.29 emergency haying and grazing in response
4.30 to federal or state disaster declarations.
4.31 Conservation grazing under a management
4.32 plan that is already being implemented may
4.33 continue. Subject to the evaluation criteria
4.34 under Minnesota Rules, part 6136.0900,
4.35 priority must be given to acquisition of
4.36 lands that are eligible for the native prairie

5.1 bank under Minnesota Statutes, section
5.2 84.96, or lands adjacent to protected native
5.3 prairie. A list of proposed land acquisitions
5.4 must be provided as part of the required
5.5 accomplishment plan and must be consistent
5.6 with the priorities in the Minnesota Prairie
5.7 Conservation Plan.

5.8 **(e) Accelerated Protection of Grassland**
5.9 **and Prairie Habitat with Reinvest in**
5.10 **Minnesota and Native Prairie Bank**
5.11 **Easements**

5.12 \$3,000,000 in the second year is to the
5.13 commissioner of natural resources and
5.14 \$2,450,000 in the second year is to the Board
5.15 of Water and Soil Resources to implement
5.16 the Minnesota Prairie Conservation
5.17 Plan through acquisition of permanent
5.18 conservation easements to protect native
5.19 prairie and grasslands. Of these amounts,
5.20 up to \$112,000 to the Department of
5.21 Natural Resources and up to \$65,000 to the
5.22 Board of Water and Soil Resources are for
5.23 establishing monitoring and enforcement
5.24 funds as approved in the accomplishment
5.25 plan and subject to Minnesota Statutes,
5.26 section 97A.056, subdivision 17. Lands with
5.27 easements acquired with this appropriation
5.28 may not be used for emergency haying
5.29 and grazing in response to federal or state
5.30 disaster declarations. Conservation grazing
5.31 under a management plan that is already
5.32 being implemented may continue. Subject
5.33 to the evaluation criteria under Minnesota
5.34 Rules, part 6136.0900, priority must be
5.35 given to acquisition of lands that are eligible
5.36 for the native prairie bank under Minnesota

6.1 Statutes, section 84.96, or lands adjacent to
6.2 protected native prairie. A list of permanent
6.3 conservation easements must be provided as
6.4 part of the final report.

6.5 **(f) Minnesota Buffers for Wildlife and**
6.6 **Water - Phase IV**

6.7 \$2,200,000 in the second year is to the Board
6.8 of Water and Soil Resources to acquire
6.9 permanent conservation easements to protect
6.10 and enhance habitat by expanding the clean
6.11 water fund riparian buffer program for at
6.12 least equal wildlife benefits from buffers
6.13 on private land. Up to \$112,500 is for
6.14 establishing a monitoring and enforcement
6.15 fund as approved in the accomplishment
6.16 plan and subject to Minnesota Statutes,
6.17 section 97A.056, subdivision 17. Lands with
6.18 easements acquired with this appropriation
6.19 may not be used for emergency haying
6.20 and grazing in response to federal or state
6.21 disaster declarations. Conservation grazing
6.22 under a management plan that is already
6.23 being implemented may continue. A list of
6.24 permanent conservation easements must be
6.25 provided as part of the final report.

6.26 **(g) Cannon River Headwaters Habitat**
6.27 **Complex - Phase IV**

6.28 \$1,430,000 in the second year is to the
6.29 commissioner of natural resources for an
6.30 agreement with The Trust for Public Land to
6.31 acquire and restore lands in the Cannon River
6.32 watershed for wildlife management area
6.33 purposes under Minnesota Statutes, section
6.34 86A.05, subdivision 8. Lands acquired
6.35 with this appropriation may not be used for

7.1 emergency haying and grazing in response
7.2 to federal or state disaster declarations.
7.3 Conservation grazing under a management
7.4 plan that is already being implemented may
7.5 continue. Subject to the evaluation criteria
7.6 under Minnesota Rules, part 6136.0900,
7.7 priority must be given to acquisition of
7.8 lands that are eligible for the native prairie
7.9 bank under Minnesota Statutes, section
7.10 84.96, or lands adjacent to protected native
7.11 prairie. A list of proposed land acquisitions
7.12 must be provided as part of the required
7.13 accomplishment plan.

7.14 **(h) Accelerated Prairie Restoration and**
7.15 **Enhancement on DNR Lands - Phase VI**

7.16 \$1,530,000 in the second year is to
7.17 the commissioner of natural resources to
7.18 accelerate the restoration and enhancement of
7.19 prairie communities in wildlife management
7.20 areas, scientific and natural areas, aquatic
7.21 management areas, state forest land, and land
7.22 under native prairie bank easements. A list of
7.23 proposed land restorations and enhancements
7.24 must be provided as part of the required
7.25 accomplishment plan.

7.26 **(i) Anoka Sandplain Habitat Restoration**
7.27 **and Enhancement - Phase III**

7.28 \$1,190,000 in the second year is to the
7.29 commissioner of natural resources for
7.30 agreements to restore and enhance wildlife
7.31 habitat on public lands in Anoka, Benton,
7.32 Isanti, Morrison, Sherburne, and Stearns
7.33 Counties as follows: \$155,000 is to Anoka
7.34 Conservation District; \$79,000 is to Isanti
7.35 County Parks Department; \$901,000 is to

8.1 Great River Greening; and \$55,000 is to
 8.2 Stearns County Soil and Water Conservation
 8.3 District. A list of proposed land restorations
 8.4 and enhancements must be provided as part
 8.5 of the required accomplishment plan.

8.6 **(j) Crow-Hassen Prairie Complex**
 8.7 **Restoration and Enhancement**

8.8 \$370,000 in the second year is to the
 8.9 commissioner of natural resources for an
 8.10 agreement with Three Rivers Park District
 8.11 to restore and enhance prairie habitat
 8.12 within the Crow-Hassen Park Reserve.
 8.13 A restoration and enhancement plan and
 8.14 a list of proposed land restorations and
 8.15 enhancements must be provided as part of
 8.16 the required accomplishment plan.

8.17 **(k) Prairie and Oak Savanna Restoration**
 8.18 **along Mississippi and Rum Rivers**

8.19 \$380,000 in the second year is to the
 8.20 commissioner of natural resources for an
 8.21 agreement with Anoka County to restore
 8.22 and enhance riparian and upland habitat in
 8.23 the Rum River Central Regional Park/Cedar
 8.24 Creek Conservation Area complex and
 8.25 in the Mississippi West Regional Park.
 8.26 A restoration and enhancement plan and
 8.27 a list of proposed land restorations and
 8.28 enhancements must be provided as part of
 8.29 the required accomplishment plan.

8.30 Subd. 3. Forests -0- 16,100,000

8.31 **(a) Preventing Forest Fragmentation**
 8.32 **and Protecting and Restoring Lake and**
 8.33 **Stream Habitat in St. Louis River**

9.1 \$2,800,000 in the second year is to the
9.2 commissioner of natural resources for a
9.3 contract with the Fond du Lac Band of Lake
9.4 Superior Chippewa to acquire lands in fee in
9.5 the St. Louis River watershed to be managed
9.6 for fish and wildlife purposes. A list of
9.7 proposed land acquisitions must be provided
9.8 as part of the required accomplishment plan.

9.9 **(b) Northeastern Minnesota Sharp-Tailed**
9.10 **Grouse Habitat Program - Phase V**

9.11 \$3,150,000 in the second year is to the
9.12 commissioner of natural resources for
9.13 an agreement with Pheasants Forever in
9.14 cooperation with the Minnesota Sharp-Tailed
9.15 Grouse Society to acquire and enhance lands
9.16 in Aitkin, Carlton, Kanabec, Pine, and St.
9.17 Louis Counties for wildlife management area
9.18 purposes under Minnesota Statutes, section
9.19 86A.05, subdivision 8. Lands acquired
9.20 with this appropriation may not be used for
9.21 emergency haying and grazing in response
9.22 to federal or state disaster declarations.
9.23 Conservation grazing under a management
9.24 plan that is already being implemented may
9.25 continue. A list of proposed land acquisitions
9.26 must be provided as part of the required
9.27 accomplishment plan.

9.28 **(c) Protecting Pineland Sands Aquifer**
9.29 **Forest Lands**

9.30 \$1,050,000 in the second year is to the
9.31 commissioner of natural resources to acquire
9.32 forest lands in Cass, Hubbard, and Wadena
9.33 Counties for wildlife management area
9.34 purposes under Minnesota Statutes, section
9.35 86A.05, subdivision 8; to acquire land in

10.1 fee for scientific and natural area purposes
10.2 under Minnesota Statutes, section 86A.05,
10.3 subdivision 5; or to acquire land in fee
10.4 for state forests under Minnesota Statutes,
10.5 section 86A.05, subdivision 7. A list of
10.6 proposed land acquisitions must be provided
10.7 as part of the required accomplishment plan.

10.8 **(d) Protecting Key Forest Lands in Cass**
10.9 **County - Phase V**

10.10 \$880,000 in the second year is to the
10.11 commissioner of natural resources for a
10.12 contract with Cass County to acquire land in
10.13 fee in Cass County for forest wildlife habitat
10.14 or to prevent forest fragmentation. A list of
10.15 proposed land acquisitions must be provided
10.16 as part of the required accomplishment plan.

10.17 **(e) State Forest Acquisitions - Phase II**

10.18 \$950,000 in the second year is to the
10.19 commissioner of natural resources to acquire
10.20 lands in fee and permanent management
10.21 easements, including for habitat purposes,
10.22 in the Richard J. Dorer State Forest under
10.23 Minnesota Statutes, section 86A.05,
10.24 subdivision 7. A list of proposed land
10.25 acquisitions must be provided as part of the
10.26 required accomplishment plan.

10.27 **(f) Southeast Minnesota Protection and**
10.28 **Restoration - Phase II**

10.29 \$5,770,000 in the second year is to the
10.30 commissioner of natural resources for
10.31 agreements to acquire land in fee for wildlife
10.32 management area purposes under Minnesota
10.33 Statutes, section 86A.05, subdivision 8; to
10.34 acquire land in fee for scientific and natural
10.35 areas under Minnesota Statutes, section

11.1 86A.05, subdivision 5; to acquire land in fee
11.2 for state forest purposes under Minnesota
11.3 Statutes, section 86A.05, subdivision 7; for
11.4 permanent conservation easements; and
11.5 to restore and enhance habitat on publicly
11.6 protected lands as follows: \$4,800,000 to
11.7 The Nature Conservancy; and \$970,000
11.8 to Minnesota Land Trust, of which up to
11.9 \$160,000 to Minnesota Land Trust is for
11.10 establishing a monitoring and enforcement
11.11 fund as approved in the accomplishment plan
11.12 and subject to Minnesota Statutes, section
11.13 97A.056, subdivision 17. Lands acquired
11.14 or lands with easements acquired with this
11.15 appropriation may not be used for emergency
11.16 haying and grazing in response to federal
11.17 or state disaster declarations. Conservation
11.18 grazing under a management plan that is
11.19 already being implemented may continue.
11.20 A list of proposed acquisitions, permanent
11.21 conservation easements, and restorations and
11.22 enhancements must be provided as part of
11.23 the required accomplishment plan.

11.24 **(g) Camp Ripley Partnership - Phase IV**
11.25 \$1,200,000 in the second year is to the
11.26 Board of Water and Soil Resources in
11.27 cooperation with the Morrison County Soil
11.28 and Water Conservation District to acquire
11.29 permanent conservation easements within
11.30 the boundaries of the Minnesota National
11.31 Guard Compatible Use Buffer to protect
11.32 forest wildlife habitat. Up to \$45,000 is for
11.33 establishing a monitoring and enforcement
11.34 fund as approved in the accomplishment plan
11.35 and subject to Minnesota Statutes, section
11.36 97A.056, subdivision 17. A list of permanent

12.1 conservation easements must be provided as
 12.2 part of the final report.

12.3 **(h) Floodplain Forest Enhancement on**
 12.4 **Mississippi River**

12.5 \$300,000 is to the commissioner of natural
 12.6 resources for an agreement with National
 12.7 Audubon Society to enhance floodplain forest
 12.8 habitat for wildlife on public lands along the
 12.9 Mississippi River. A list of restorations and
 12.10 enhancements must be provided as part of
 12.11 the required accomplishment plan.

12.12 Subd. 4. Wetlands -0- 24,010,000

12.13 **(a) Reinvest in Minnesota Wetlands**
 12.14 **Partnership - Phase VI**

12.15 \$9,710,000 in the second year is to the
 12.16 Board of Soil and Water Resources to
 12.17 acquire permanent conservation easements
 12.18 and restore wetlands and associated upland
 12.19 habitat in cooperation with the United
 12.20 States Department of Agriculture and
 12.21 Ducks Unlimited, including \$645,000
 12.22 for an agreement with Ducks Unlimited
 12.23 to provide technical and bioengineering
 12.24 assistance. Up to \$190,000 to the Board of
 12.25 Water and Soil Resources is for establishing
 12.26 a monitoring and enforcement fund as
 12.27 approved in the accomplishment plan and
 12.28 subject to Minnesota Statutes, section
 12.29 97A.056, subdivision 17. A list of permanent
 12.30 conservation easements must be provided as
 12.31 part of the final report. The appropriations
 12.32 in Laws 2012, chapter 264, article 1, section
 12.33 2, subdivision 4, paragraph (a), and Laws
 12.34 2013, chapter 137, article 1, section 2,

13.1 subdivision 4, paragraph (a), may be used for
13.2 the purposes of this appropriation.

13.3 **(b) Accelerating Waterfowl Production**

13.4 **Area Acquisition - Phase VI**

13.5 \$7,280,000 in the second year is to the
13.6 commissioner of natural resources for a
13.7 contract with Pheasants Forever to acquire
13.8 land in fee to be designated and managed as
13.9 waterfowl production areas in Minnesota,
13.10 in cooperation with the United States Fish
13.11 and Wildlife Service. A list of proposed land
13.12 acquisitions must be provided as part of the
13.13 required accomplishment plan.

13.14 **(c) Living Shallow Lakes and Wetland**

13.15 **Initiative - Phase IV**

13.16 \$4,910,000 in the second year is to the
13.17 commissioner of natural resources for
13.18 an agreement with Ducks Unlimited to
13.19 assess, enhance, and restore shallow lakes
13.20 and wetlands, including bioengineering,
13.21 technical assistance, feasibility investigation,
13.22 survey, and design to develop new
13.23 enhancement and restoration projects for
13.24 future implementation. A list of proposed
13.25 enhancements and restorations to be
13.26 constructed through this appropriation
13.27 must be provided as part of the required
13.28 accomplishment plan.

13.29 **(d) Wild Rice Shoreland Protection**

13.30 **Program - Phase III**

13.31 \$198,000 in the second year is to the
13.32 commissioner of natural resources for
13.33 acquisition of land in fee and \$862,000 is to
13.34 the Board of Water and Soil Resources to
13.35 acquire permanent conservation easements

14.1 on wild rice lake shoreland habitat for native
 14.2 wild rice bed protection. Of this amount, up
 14.3 to \$70,000 to the Board of Water and Soil
 14.4 Resources is for establishing a monitoring
 14.5 and enforcement fund as approved in
 14.6 the accomplishment plan and subject to
 14.7 Minnesota Statutes, section 97A.056,
 14.8 subdivision 17. A list of proposed fee land
 14.9 acquisitions must be included as part of
 14.10 the required accomplishment plan by the
 14.11 Department of Natural Resources and a list
 14.12 of permanent conservation easements must
 14.13 be provided as part of the final report by the
 14.14 Board of Water and Soil Resources.

14.15 **(e) Accelerated Shallow Lakes and**
 14.16 **Wetlands Enhancement - Phase VI**

14.17 \$1,050,000 in the second year is to the
 14.18 commissioner of natural resources to enhance
 14.19 and restore shallow lakes statewide. A list of
 14.20 proposed land restorations and enhancements
 14.21 must be provided as part of the required
 14.22 accomplishment plan.

14.23 **Subd. 5. Habitats** -0- 30,190,000

14.24 **(a) DNR Aquatic Habitat - Phase VI**

14.25 \$2,560,000 in the second year is to the
 14.26 commissioner of natural resources to
 14.27 acquire interests in land in fee for aquatic
 14.28 management purposes under Minnesota
 14.29 Statutes, sections 86A.05, subdivision 14,
 14.30 and 97C.02, and to restore and enhance
 14.31 aquatic habitat. A list of proposed
 14.32 land acquisitions and restorations and
 14.33 enhancements must be provided as part of
 14.34 the required accomplishment plan.

- 15.1 **(b) Fisheries Habitat Protection on**
15.2 **Strategic North Central Minnesota Lakes**
15.3 \$2,130,000 in the second year is to the
15.4 commissioner of natural resources for
15.5 agreements with the Leech Lake Area
15.6 Watershed Foundation and Minnesota Land
15.7 Trust to acquire land in fee and permanent
15.8 conservation easements to sustain healthy
15.9 fish habitat on lakes in Aitkin, Cass, Crow
15.10 Wing, and Hubbard Counties as follows:
15.11 \$1,150,300 to Leech Lake Area Watershed
15.12 Foundation; and \$979,700 to Minnesota
15.13 Land Trust, of which up to \$120,000 to
15.14 Minnesota Land Trust is for establishing
15.15 a monitoring and enforcement fund as
15.16 approved in the accomplishment plan and
15.17 subject to Minnesota Statutes, section
15.18 97A.056, subdivision 17. A list of proposed
15.19 land acquisitions must be provided as part of
15.20 the required accomplishment plan.
- 15.21 **(c) Habitat Protection in Dakota County**
15.22 **- Phase V**
15.23 \$1,190,000 in the second year is to the
15.24 commissioner of natural resources for a
15.25 contract with Dakota County to acquire
15.26 permanent conservation easements and land
15.27 in fee and to restore and enhance habitats in
15.28 rivers and lake watersheds in Dakota County.
15.29 Up to \$15,000 to Dakota County is for
15.30 establishing a monitoring and enforcement
15.31 fund as approved in the accomplishment
15.32 plan and subject to Minnesota Statutes,
15.33 section 97A.056, subdivision 17. Lands
15.34 acquired or lands with easements acquired
15.35 with this appropriation may not be used for

16.1 emergency haying and grazing in response
16.2 to federal or state disaster declarations.
16.3 Conservation grazing under a management
16.4 plan that is already being implemented may
16.5 continue. A list of proposed land acquisitions
16.6 and restorations and enhancements must
16.7 be provided as part of the required
16.8 accomplishment plan.

16.9 **(d) Metro Big Rivers - Phase V**
16.10 \$2,650,000 in the second year is to the
16.11 commissioner of natural resources for
16.12 agreements to acquire land in fee and
16.13 permanent conservation easements and
16.14 to restore and enhance natural systems
16.15 associated with the Mississippi, Minnesota,
16.16 and St. Croix Rivers as follows: \$600,000
16.17 to Minnesota Valley National Wildlife
16.18 Refuge Trust, Inc.; \$160,000 to Friends of
16.19 the Mississippi River; \$400,000 to Great
16.20 River Greening; \$590,000 to Minnesota
16.21 Land Trust, of which up to \$77,000 is for
16.22 establishing a monitoring and enforcement
16.23 fund as approved in the accomplishment plan
16.24 and subject to Minnesota Statutes, section
16.25 97A.056, subdivision 17; and \$900,000 to
16.26 The Trust for Public Land. Lands acquired
16.27 or lands with easements acquired with
16.28 this appropriation may not be used for
16.29 emergency haying and grazing in response
16.30 to federal or state disaster declarations.
16.31 Conservation grazing under a management
16.32 plan that is already being implemented may
16.33 continue. A list of proposed land acquisitions
16.34 and permanent conservation easements
16.35 must be provided as part of the required
16.36 accomplishment plan.

17.1 **(e) Mustinka River Fish and Wildlife**

17.2 **Habitat Corridor Rehabilitation**

17.3 \$2,440,000 in the second year is to the
17.4 commissioner of natural resources for
17.5 an agreement with the Bois de Sioux
17.6 Watershed District to acquire land in fee
17.7 and to restore natural systems associated
17.8 with the Mustinka River located within the
17.9 Bois de Sioux Watershed. Lands acquired
17.10 with this appropriation may not be used for
17.11 emergency haying and grazing in response
17.12 to federal or state disaster declarations.
17.13 Conservation grazing under a management
17.14 plan that is already being implemented may
17.15 continue. A list of proposed land acquisitions
17.16 must be provided as part of the required
17.17 accomplishment plan.

17.18 **(f) Minnesota Trout Unlimited Coldwater**

17.19 **Fish Habitat Enhancement and**

17.20 **Restoration - Phase VI**

17.21 \$1,900,000 in the second year is to the
17.22 commissioner of natural resources for an
17.23 agreement with Minnesota Trout Unlimited
17.24 to restore and enhance habitat for trout
17.25 and other species in and along coldwater
17.26 rivers and streams in Minnesota. A list of
17.27 proposed land restorations and enhancements
17.28 must be provided as part of the required
17.29 accomplishment plan.

17.30 **(g) St. Louis River Restoration Initiative -**

17.31 **Phase II**

17.32 \$2,290,000 in the second year is to the
17.33 commissioner of natural resources to restore
17.34 habitat in the lower St. Louis River estuary.
17.35 Of this appropriation, up to \$500,000 is for

18.1 an agreement with Minnesota Land Trust. A
18.2 list of proposed restorations must be provided
18.3 as part of the required accomplishment plan.

18.4 **(h) Knife River Habitat Rehabilitation -**
18.5 **Phase II**

18.6 \$1,410,000 in the second year is to the
18.7 commissioner of natural resources for an
18.8 agreement with the Lake Superior Steelhead
18.9 Association to enhance trout habitat in the
18.10 Knife River watershed. A list of proposed
18.11 enhancements must be provided as part of
18.12 the required accomplishment plan.

18.13 **(i) Restoration and Enhancement of**
18.14 **Washington County Public Lands**

18.15 \$430,000 in the second year is to the
18.16 commissioner of natural resources for an
18.17 agreement with Washington County to
18.18 restore and enhance habitat on public lands
18.19 in Washington County. A restoration and
18.20 enhancement plan and a list of proposed
18.21 land restorations and enhancements
18.22 must be provided as part of the required
18.23 accomplishment plan.

18.24 **(j) Wirth Park Enhancements**

18.25 \$600,000 in the second year is to the
18.26 commissioner of natural resources for an
18.27 agreement with the Minneapolis Park Board
18.28 to enhance riparian and upland habitat
18.29 within Wirth Park in Hennepin County.
18.30 A restoration and enhancement plan and
18.31 a list of proposed land restorations and
18.32 enhancements must be provided as part of
18.33 the required accomplishment plan.

19.1 **(k) Evaluate Effectiveness of Aquatic**
19.2 **Invasive Species Prevention Strategies**
19.3 \$4,040,000 in the second year is to the
19.4 commissioner of natural resources for an
19.5 agreement with the Central Minnesota
19.6 Initiative Fund to develop a series of pilot
19.7 projects to enhance aquatic habitat by
19.8 preventing the spread of aquatic invasive
19.9 species. All pilot projects must be conducted
19.10 on a reimbursement basis and require a
19.11 match of nonoutdoor heritage fund dollars. A
19.12 required evaluation of results must be funded
19.13 with nonoutdoor heritage fund dollars. A
19.14 list of pilot projects must be included in the
19.15 required final report.

19.16 **(l) Conservation Partners Legacy Grant**
19.17 **Program - Phase V**
19.18 \$4,550,000 in the second year is to the
19.19 commissioner of natural resources for a
19.20 program to provide competitive, matching
19.21 grants of up to \$400,000 to local, regional,
19.22 state, and national organizations for
19.23 enhancing, restoring, or protecting forests,
19.24 wetlands, prairies, or habitat for fish, game,
19.25 or wildlife in Minnesota. Grants shall not
19.26 be made for activities required to fulfill
19.27 the duties of owners of lands subject to
19.28 conservation easements. Grants shall not
19.29 be made from the appropriation in this
19.30 paragraph for projects that have a total
19.31 project cost exceeding \$575,000. Of this
19.32 appropriation, \$460,000 may be spent
19.33 for personnel costs and other direct and
19.34 necessary administrative costs. Grantees may
19.35 acquire land or interests in land. Easements

20.1 must be permanent. Grants may not be used
20.2 to establish easement stewardship accounts.
20.3 Land acquired in fee must be open to hunting
20.4 and fishing during the open season unless
20.5 otherwise provided by state law. Lands
20.6 acquired or lands with easements acquired
20.7 with this appropriation may not be used for
20.8 emergency haying and grazing in response
20.9 to federal or state disaster declarations.
20.10 Conservation grazing under a management
20.11 plan that is already being implemented may
20.12 continue. The program shall require a match
20.13 of at least ten percent from nonstate sources
20.14 for all grants. The match may be cash or
20.15 in-kind resources. For grant applications
20.16 of \$25,000 or less, the commissioner shall
20.17 provide a separate, simplified application
20.18 process. Subject to Minnesota Statutes, the
20.19 commissioner of natural resources shall,
20.20 when evaluating projects of equal value,
20.21 give priority to organizations that have a
20.22 history of receiving or charter to receive
20.23 private contributions for local conservation
20.24 or habitat projects. If acquiring land or a
20.25 conservation easement, priority shall be
20.26 given to projects associated with or within
20.27 one mile of existing wildlife management
20.28 areas under Minnesota Statutes, section
20.29 86A.05, subdivision 8; scientific and natural
20.30 areas under Minnesota Statutes, sections
20.31 84.033 and 86A.05, subdivision 5; or aquatic
20.32 management areas under Minnesota Statutes,
20.33 sections 86A.05, subdivision 14, and 97C.02.
20.34 All restoration or enhancement projects
20.35 must be on land permanently protected by
20.36 a permanent covenant ensuring perpetual

21.1 maintenance and protection of restored
21.2 and enhanced habitat, by a conservation
21.3 easement, or by public ownership or in public
21.4 waters as defined in Minnesota Statutes,
21.5 section 103G.005, subdivision 15. Priority
21.6 shall be given to restoration and enhancement
21.7 projects on public lands. Minnesota Statutes,
21.8 section 97A.056, subdivision 13, applies
21.9 to grants awarded under this paragraph.
21.10 This appropriation is available until June
21.11 30, 2018. No less than five percent of the
21.12 amount of each grant must be held back from
21.13 reimbursement until the grant recipient has
21.14 completed a grant accomplishment report by
21.15 the deadline and in the form prescribed by
21.16 and satisfactory to the Lessard-Sams Outdoor
21.17 Heritage Council. The commissioner shall
21.18 provide notice of the grant program in
21.19 the game and fish law summary prepared
21.20 under Minnesota Statutes, section 97A.051,
21.21 subdivision 2.
21.22 **(m) Conservation Partners Legacy Metro**
21.23 **Grant Program**
21.24 \$4,000,000 in the second year is to the
21.25 commissioner of natural resources for a
21.26 program to provide competitive, matching
21.27 grants of up to \$400,000 to local, regional,
21.28 state, and national organizations for
21.29 enhancing, restoring, or protecting forests,
21.30 wetlands, prairies, or habitat for fish, game,
21.31 or wildlife in the seven-county metropolitan
21.32 area and cities with a population of 50,000
21.33 or greater. Grants shall not be made for
21.34 activities required to fulfill the duties of
21.35 owners of lands subject to conservation
21.36 easements. Grants shall not be made from the

22.1 appropriation in this paragraph for projects
22.2 that have a total project cost exceeding
22.3 \$575,000. Of this appropriation, \$70,000
22.4 may be spent for direct and necessary
22.5 administrative costs. Grantees may acquire
22.6 land or interests in land. Easements must
22.7 be permanent. Grants may not be used to
22.8 establish easement stewardship accounts.
22.9 Land acquired in fee must be open to hunting
22.10 and fishing during the open season unless
22.11 otherwise provided by state law. Lands
22.12 acquired or lands with easements acquired
22.13 with this appropriation may not be used for
22.14 emergency haying and grazing in response
22.15 to federal or state disaster declarations.
22.16 Conservation grazing under a management
22.17 plan that is already being implemented may
22.18 continue. The program shall require a match
22.19 of at least ten percent from nonstate sources
22.20 for all grants. The match may be cash or
22.21 in-kind resources. For grant applications
22.22 of \$25,000 or less, the commissioner shall
22.23 provide a separate, simplified application
22.24 process. Subject to Minnesota Statutes, the
22.25 commissioner of natural resources shall,
22.26 when evaluating projects of equal value,
22.27 give priority to organizations that have a
22.28 history of receiving or charter to receive
22.29 private contributions for local conservation
22.30 or habitat projects. If acquiring land or a
22.31 conservation easement, priority shall be
22.32 given to projects associated with or within
22.33 one mile of existing wildlife management
22.34 areas under Minnesota Statutes, section
22.35 86A.05, subdivision 8; scientific and natural
22.36 areas under Minnesota Statutes, sections

23.1 84.033 and 86A.05, subdivision 5; or aquatic
 23.2 management areas under Minnesota Statutes,
 23.3 sections 86A.05, subdivision 14, and 97C.02.
 23.4 All restoration or enhancement projects
 23.5 must be on land permanently protected by
 23.6 a permanent covenant ensuring perpetual
 23.7 maintenance and protection of restored
 23.8 and enhanced habitat, by a conservation
 23.9 easement, or by public ownership or in public
 23.10 waters as defined in Minnesota Statutes,
 23.11 section 103G.005, subdivision 15. Priority
 23.12 shall be given to restoration and enhancement
 23.13 projects on public lands. Minnesota Statutes,
 23.14 section 97A.056, subdivision 13, applies
 23.15 to grants awarded under this paragraph.
 23.16 This appropriation is available until June
 23.17 30, 2018. No less than five percent of the
 23.18 amount of each grant must be held back from
 23.19 reimbursement until the grant recipient has
 23.20 completed a grant accomplishment report by
 23.21 the deadline and in the form prescribed by
 23.22 and satisfactory to the Lessard-Sams Outdoor
 23.23 Heritage Council. The commissioner shall
 23.24 provide notice of the grant program in
 23.25 the game and fish law summary prepared
 23.26 under Minnesota Statutes, section 97A.051,
 23.27 subdivision 2.

23.28 Subd. 6. Administration -0- 885,000

23.29 **(a) Contract Management**
 23.30 \$150,000 in the second year is to the
 23.31 commissioner of natural resources for
 23.32 contract management duties assigned in this
 23.33 section. The commissioner shall provide an
 23.34 accomplishment plan in the form specified by
 23.35 the Lessard-Sams Outdoor Heritage Council

24.1 on the expenditure of this appropriation.

24.2 The accomplishment plan must include

24.3 a copy of the grant contract template

24.4 and reimbursement manual. No money

24.5 may be expended prior to Lessard-Sams

24.6 Outdoor Heritage Council approval of the

24.7 accomplishment plan.

24.8 **(b) Legislative Coordinating Commission**

24.9 \$570,000 in the second year is to the

24.10 Legislative Coordinating Commission for

24.11 administrative expenses of the Lessard-Sams

24.12 Outdoor Heritage Council and for

24.13 compensation and expense reimbursement

24.14 of council members. This appropriation is

24.15 available until June 30, 2015. Minnesota

24.16 Statutes, section 16A.281, applies to this

24.17 appropriation.

24.18 **(c) Technical Evaluation Panel**

24.19 \$100,000 in the second year is to the

24.20 commissioner of natural resources for a

24.21 technical evaluation panel to conduct up to

24.22 ten restoration evaluations under Minnesota

24.23 Statutes, section 97A.056, subdivision 10.

24.24 **(d) High Priority Pre-Transaction Service**

24.25 **Acceleration for Lessard-Sams Outdoor**

24.26 **Heritage Council**

24.27 \$50,000 in the second year is to the

24.28 commissioner of natural resources to provide

24.29 land acquisition pre-transaction services

24.30 including but not limited to appraisals,

24.31 surveys, or title research for acquisition

24.32 proposals under consideration by the

24.33 Lessard-Sams Outdoor Heritage Council. A

24.34 list of activities must be included in the final

24.35 accomplishment plan.

25.1 **(e) Legacy Web Site**

25.2 \$15,000 in the second year is to the
25.3 Legislative Coordinating Commission for
25.4 the Web site required in Minnesota Statutes,
25.5 section 3.303, subdivision 10.

25.6 **Subd. 7. Availability of Appropriation**

25.7 Money appropriated in this section may
25.8 not be spent on activities unless they are
25.9 directly related to and necessary for a
25.10 specific appropriation and are specified in
25.11 the accomplishment plan approved by the
25.12 Lessard-Sams Outdoor Heritage Council.
25.13 Money appropriated in this section must
25.14 not be spent on indirect costs or other
25.15 institutional overhead charges that are not
25.16 directly related to and necessary for a specific
25.17 appropriation. Unless otherwise provided,
25.18 the amounts in this section are available
25.19 until June 30, 2017. For acquisition of real
25.20 property, the amounts in this section are
25.21 available until June 30, 2018, if a binding
25.22 agreement with a landowner or purchase
25.23 agreement is entered into by June 30, 2017,
25.24 and closed no later than June 30, 2018. Funds
25.25 for restoration or enhancement are available
25.26 until June 30, 2019, or five years after
25.27 acquisition, whichever is later, in order to
25.28 complete initial restoration or enhancement
25.29 work. If a project receives federal funds, the
25.30 time period of the appropriation is extended
25.31 to equal the availability of federal funding.
25.32 Funds appropriated for fee title acquisition
25.33 of land may be used to restore, enhance, and
25.34 provide for public use of the land acquired
25.35 with the appropriation. Public use facilities

26.1 must have a minimal impact on habitat in
26.2 acquired lands.

26.3 **Subd. 8. Payment Conditions and Capital**
26.4 **Equipment Expenditures**

26.5 All agreements referred to in this section must
26.6 be administered on a reimbursement basis
26.7 unless otherwise provided in this section.

26.8 Notwithstanding Minnesota Statutes, section
26.9 16A.41, expenditures directly related
26.10 to each appropriation's purpose made
26.11 on or after July 1, 2014, or the date of
26.12 accomplishment plan approval, whichever is
26.13 later, are eligible for reimbursement unless
26.14 otherwise provided in this section. For the
26.15 purposes of administering appropriations
26.16 and legislatively authorized agreements
26.17 paid out of the outdoor heritage fund, an
26.18 expense must be considered reimbursable
26.19 by the administering agency when the
26.20 recipient presents the agency with an invoice
26.21 or binding agreement with the landowner
26.22 and the recipient attests that the goods have
26.23 been received or the landowner agreement
26.24 is binding. Periodic reimbursement must
26.25 be made upon receiving documentation that
26.26 the items articulated in the accomplishment
26.27 plan approved by the Lessard-Sams Outdoor
26.28 Heritage Council have been achieved,
26.29 including partial achievements as evidenced
26.30 by progress reports approved by the
26.31 Lessard-Sams Outdoor Heritage Council.

26.32 Reasonable amounts may be advanced to
26.33 projects to accommodate cash flow needs,
26.34 support future management of acquired
26.35 lands, or match a federal share. The
26.36 advances must be approved as part of the

27.1 accomplishment plan. Capital equipment
 27.2 expenditures for specific items in excess of
 27.3 \$10,000 must be itemized in and approved as
 27.4 part of the accomplishment plan.

27.5 Subd. 9. **Mapping**

27.6 Each direct recipient of money appropriated
 27.7 in this section, as well as each recipient of
 27.8 a grant awarded pursuant to this section,
 27.9 must provide geographic information to
 27.10 the Department of Natural Resources for
 27.11 mapping of any lands acquired in fee with
 27.12 funds appropriated in this section and open
 27.13 to public taking of fish and game. The
 27.14 commissioner of natural resources shall
 27.15 include the lands acquired in fee with
 27.16 money appropriated in this section on maps
 27.17 showing public recreation opportunities.
 27.18 Maps shall include information on and
 27.19 acknowledgement of the outdoor heritage
 27.20 fund, including a notation of any restrictions.

27.21 Subd. 10. **Pollinators**

27.22 Each direct recipient of money appropriated
 27.23 in this section, as well as each recipient of a
 27.24 grant awarded pursuant to this section that
 27.25 conducts a prairie restoration using funds
 27.26 appropriated in this section, must include
 27.27 an appropriate diversity of native species
 27.28 selected to provide habitat for pollinators
 27.29 throughout the growing season as required
 27.30 under Minnesota Statutes, section 84.973.

27.31 Sec. 3. Minnesota Statutes 2012, section 97A.056, subdivision 10, is amended to read:

27.32 Subd. 10. **Restoration evaluations.** The commissioner of natural resources and the
 27.33 Board of Water and Soil Resources may convene a technical evaluation panel comprised
 27.34 of five members, including one technical representative from the Board of Water and Soil

28.1 Resources, one technical representative from the Department of Natural Resources, one
 28.2 technical expert from the University of Minnesota or the Minnesota State Colleges and
 28.3 Universities, and two representatives with expertise in the project being evaluated. The
 28.4 board and the commissioner may add a technical representative from a unit of federal or
 28.5 local government. The members of the technical evaluation panel may not be associated
 28.6 with the restoration, may vary depending upon the projects being reviewed, and shall
 28.7 avoid any potential conflicts of interest. Each year, the board and the commissioner may
 28.8 assign a coordinator to identify a sample of up to ten habitat restoration projects completed
 28.9 with outdoor heritage funding. The coordinator shall secure the restoration plans for the
 28.10 projects specified and direct the technical evaluation panel to evaluate the restorations
 28.11 relative to the law, current science, and the stated goals and standards in the restoration
 28.12 plan and, when applicable, to the Board of Water and Soil Resources' native vegetation
 28.13 establishment and enhancement guidelines. The coordinator shall summarize the findings
 28.14 of the panel and provide a report to the chair of the Lessard-Sams Outdoor Heritage
 28.15 Council and the chairs of the respective house of representatives and senate policy and
 28.16 finance committees with jurisdiction over natural resources and spending from the outdoor
 28.17 heritage fund. The report shall determine if the restorations are meeting planned goals,
 28.18 any problems with the implementation of restorations, and, if necessary, recommendations
 28.19 on improving restorations. The report shall be focused on improving future restorations.
 28.20 ~~Up to~~ At least one-tenth of one percent of forecasted receipts from the outdoor heritage
 28.21 fund ~~may~~ must be used for restoration evaluations under this section.

28.22 Sec. 4. Minnesota Statutes 2012, section 97A.056, is amended by adding a subdivision
 28.23 to read:

28.24 **Subd. 20. Acquisition of lands or interest in lands; commissioner approval.** (a)
 28.25 A recipient of an appropriation from the outdoor heritage fund who acquires an interest in
 28.26 real property must receive written approval from the commissioner of natural resources
 28.27 prior to the acquisition if the interest is acquired in whole or in part with the appropriation.
 28.28 A recipient must request the commissioner's approval at least ten business days before
 28.29 the proposed acquisition. When a recipient requests approval under this subdivision, the
 28.30 recipient must simultaneously submit the same information to the Lessard-Sams Outdoor
 28.31 Heritage Council. Conservation easements to be held by the Board of Water and Soil
 28.32 Resources and acquisitions specifically identified in appropriation laws are not subject to
 28.33 commissioner approval under this subdivision.

28.34 (b) The commissioner shall approve acquisitions under this subdivision only when
 28.35 the interest in real property:

- 29.1 (1) is identified as a high priority by the commissioner and meets the objectives and
29.2 criteria identified in the applicable acquisition plan for the intended management status
29.3 of the property; or
29.4 (2) is otherwise identified by the commissioner as a priority for state financing.

29.5 Sec. 5. Minnesota Statutes 2012, section 97A.056, is amended by adding a subdivision
29.6 to read:

29.7 Subd. 21. **Value assessment.** At least ten business days prior to acquiring an
29.8 interest in real property with an appropriation from the outdoor heritage fund, a recipient
29.9 of an appropriation must submit the most recent tax assessed value and most recent tax
29.10 statement of the real property and the amount the recipient plans to offer for the interest
29.11 in real property to the Lessard-Sams Outdoor Heritage Council and the commissioner of
29.12 natural resources. Conservation easements to be held by the Board of Water and Soil
29.13 Resources are not subject to the requirements of this subdivision. The board shall keep
29.14 a record of the tax assessed value of the real property at the time of acquisition and the
29.15 most recent tax statement.