

A bill for an act  
relating to state government; appropriating money from constitutionally  
dedicated funds for outdoor heritage purposes.  
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **OUTDOOR HERITAGE 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 outdoor heritage fund and are available for the fiscal years indicated for each purpose. The figures "2010" and "2011" used in this act mean that the appropriations listed under them are available for the fiscal year ending June 30, 2010, or June 30, 2011, respectively. "The first year" is fiscal year 2010. "The second year" is fiscal year 2011. "The biennium" is fiscal years 2010 and 2011. The appropriations in this act are onetime.

| <b><u>APPROPRIATIONS</u></b>         |                    |  |                    |
|--------------------------------------|--------------------|--|--------------------|
| <b><u>Available for the Year</u></b> |                    |  |                    |
| <b><u>Ending June 30</u></b>         |                    |  |                    |
|                                      | <b><u>2010</u></b> |  | <b><u>2011</u></b> |

Sec. 2. **OUTDOOR HERITAGE**

|                                                  |                  |                 |                  |                          |
|--------------------------------------------------|------------------|-----------------|------------------|--------------------------|
| <b><u>Subdivision 1. Total Appropriation</u></b> | <b><u>\$</u></b> | <b><u>0</u></b> | <b><u>\$</u></b> | <b><u>58,939,000</u></b> |
|--------------------------------------------------|------------------|-----------------|------------------|--------------------------|

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

|                                 |  |                 |                          |
|---------------------------------|--|-----------------|--------------------------|
| <b><u>Subd. 2. Prairies</u></b> |  | <b><u>0</u></b> | <b><u>18,093,000</u></b> |
|---------------------------------|--|-----------------|--------------------------|

2.1 (a) Accelerated Prairie Grassland Restoration  
2.2 and Enhancement Program on DNR Lands

2.3 \$5,833,000 in fiscal year 2011 is to the  
2.4 commissioner of natural resources to  
2.5 accelerate the protection, restoration, and  
2.6 enhancement of native prairie vegetation.

2.7 A list of proposed land acquisitions,  
2.8 restorations, and enhancements, describing  
2.9 the types and locations of acquisitions,  
2.10 restorations, and enhancements, must  
2.11 be provided as part of the required  
2.12 accomplishment plan. All restorations must  
2.13 comply with subdivision 9, paragraph (b).

2.14 (b) The Green Corridor Legacy Program

2.15 \$1,651,000 in fiscal year 2011 is to the  
2.16 commissioner of natural resources for  
2.17 an agreement with the Redwood Area  
2.18 Communities Foundation or its successor to  
2.19 acquire and restore land for purposes allowed  
2.20 under the Minnesota Constitution, article XI,  
2.21 section 15, in Redwood, Renville, Brown,  
2.22 Nicollet, Murray, Lyon, Yellow Medicine,  
2.23 Chippewa, and Cottonwood Counties to be  
2.24 added to the state outdoor recreation system  
2.25 as defined in Minnesota Statutes, chapter  
2.26 86A. A list of proposed fee title acquisitions  
2.27 must be provided as part of the required  
2.28 accomplishment plan. The commissioner  
2.29 of natural resources must agree to each  
2.30 proposed acquisition. All restorations must  
2.31 comply with subdivision 9, paragraph (b).

2.32 (c) Prairie Heritage Fund - Acquisition and  
2.33 Restoration

2.34 \$3,015,000 in fiscal year 2011 is to the  
2.35 commissioner of natural resources for an

3.1 agreement with Pheasants Forever or its  
3.2 successor to acquire and restore land to  
3.3 be added to the state wildlife management  
3.4 area system. A list of proposed fee title  
3.5 acquisitions and a list of proposed restoration  
3.6 projects, describing the types and locations  
3.7 of restorations, must be provided as part  
3.8 of the required accomplishment plan. The  
3.9 commissioner of natural resources must  
3.10 agree to each proposed acquisition. All  
3.11 restorations must comply with subdivision  
3.12 9, paragraph (b).

3.13 **(d) Northern Tallgrass Prairie National**  
3.14 **Wildlife Refuge Protection**

3.15 \$2,041,000 in fiscal year 2011 is to the  
3.16 commissioner of natural resources for an  
3.17 agreement with The Nature Conservancy or  
3.18 its successor to acquire land or permanent  
3.19 easements within the Northern Tallgrass  
3.20 Prairie Habitat Preservation Area in western  
3.21 Minnesota for addition to the Northern  
3.22 Tallgrass Prairie National Wildlife Refuge.  
3.23 A list of proposed fee title and permanent  
3.24 easement acquisitions must be provided as  
3.25 part of the required accomplishment plan.  
3.26 Land removed from this program shall  
3.27 transfer to the state. The accomplishment  
3.28 plan must include an easement stewardship  
3.29 plan.

3.30 **(e) Rum River - Cedar Creek Initiative**

3.31 \$1,900,000 in fiscal year 2011 is to the  
3.32 commissioner of natural resources for an  
3.33 agreement with Anoka County to acquire fee  
3.34 title to land at the confluence of the Rum  
3.35 River and Cedar Creek in Anoka County.

4.1 Land acquired in fee must remain open to  
4.2 hunting and fishing, consistent with the  
4.3 capacity of the land, during the open season,  
4.4 as determined by the commissioner of natural  
4.5 resources. All restorations must comply with  
4.6 subdivision 9, paragraph (b).

4.7 **(f) Minnesota Prairie Recovery Project**

4.8 \$3,653,000 in fiscal year 2011 is to the  
4.9 commissioner of natural resources for an  
4.10 agreement with The Nature Conservancy or  
4.11 its successor for a pilot project to acquire  
4.12 interests in land and restore and enhance  
4.13 prairie and prairie/wetland habitat in the  
4.14 prairie regions of western and southwestern  
4.15 Minnesota. The Nature Conservancy may  
4.16 acquire land in fee or through permanent  
4.17 conservation easements. A list of proposed  
4.18 fee title and permanent conservation  
4.19 easements, and a list of proposed restorations  
4.20 and enhancements, must be provided as part  
4.21 of the required accomplishment plan. All  
4.22 restorations must comply with subdivision 9,  
4.23 paragraph (b). The commissioner of natural  
4.24 resources must agree to each acquisition  
4.25 of interest in land, restoration project, and  
4.26 enhancement project. The accomplishment  
4.27 plan must include an easement stewardship  
4.28 plan.

|      |                         |          |                  |
|------|-------------------------|----------|------------------|
| 4.29 | <u>Subd. 3. Forests</u> | <u>0</u> | <u>5,603,000</u> |
|------|-------------------------|----------|------------------|

4.30 **(a) Critical Shoreline Habitat Protection**  
4.31 **Program**

4.32 \$816,000 in fiscal year 2011 is to the  
4.33 commissioner of natural resources for  
4.34 an agreement with the Minnesota Land  
4.35 Trust or its successor to acquire permanent

5.1 conservation easements protecting critical  
5.2 shoreline habitats in Koochiching, Cook,  
5.3 Lake, and St. Louis County portions of the  
5.4 northern forest area in northern Minnesota  
5.5 and provide stewardship for those easements.

5.6 A list of proposed conservation easement  
5.7 acquisitions must be provided as part of  
5.8 the required accomplishment plan. The  
5.9 accomplishment plan must include an  
5.10 easement stewardship plan.

5.11 **(b) Protect Key Industrial Forest Land Tracts**  
5.12 **in Central Minnesota**

5.13 \$594,000 in fiscal year 2011 is to the  
5.14 commissioner of natural resources for an  
5.15 agreement with Cass County to acquire lands  
5.16 that assist with gaining access for restoration  
5.17 and enhancement purposes to existing public  
5.18 land tracts. A list of proposed acquisitions  
5.19 must be provided as part of the required  
5.20 accomplishment plan.

5.21 **(c) Little Nokasippi River Wildlife**  
5.22 **Management Area**

5.23 \$843,000 in fiscal year 2011 is to the  
5.24 commissioner of natural resources  
5.25 for acceleration of agency programs and  
5.26 cooperative agreements to acquire interests in  
5.27 land within the boundaries of the Minnesota  
5.28 National Guard Army compatible use buffer  
5.29 (ACUB) program. Of this appropriation,  
5.30 \$225,000 is for the Department of Natural  
5.31 Resources to acquire land for wildlife  
5.32 management areas and \$618,000 is for an  
5.33 agreement with the Board of Water and Soil  
5.34 Resources to acquire permanent conservation  
5.35 easements. A list of proposed acquisitions

6.1 must be provided as part of the required  
6.2 accomplishment plan.

6.3 **(d) Accelerated Forest Wildlife Habitat**  
6.4 **Program**

6.5 \$1,791,000 in fiscal year 2011 is to the  
6.6 commissioner of natural resources for  
6.7 acceleration of agency programs to acquire,  
6.8 in fee, land for state forests and restore and  
6.9 enhance state forest habitat. A list of projects  
6.10 including proposed fee title acquisitions  
6.11 and restorations and enhancements must  
6.12 be provided as part of the required  
6.13 accomplishment plan. All restorations must  
6.14 comply with subdivision 9, paragraph (b).

6.15 **(e) Northeastern Minnesota Sharp-Tailed**  
6.16 **Grouse Habitat**

6.17 \$1,559,000 in fiscal year 2011 is to the  
6.18 commissioner of natural resources for  
6.19 an agreement with Pheasants Forever or  
6.20 its successor to acquire interests in land,  
6.21 and to restore and enhance habitat for  
6.22 sharp-tailed grouse in Kanabec, Aitkin, and  
6.23 St. Louis Counties in cooperation with the  
6.24 Minnesota Sharp-Tailed Grouse Society. A  
6.25 list of proposed acquisitions and a list of  
6.26 proposed restorations and enhancements  
6.27 must be provided as part of the required  
6.28 accomplishment plan. The commissioner  
6.29 of natural resources must agree to each  
6.30 acquisition of interest in land, restoration  
6.31 project, and enhancement project. All  
6.32 restorations must comply with subdivision  
6.33 9, paragraph (b).

6.34 **Subd. 4. Wetlands**

0

16,905,000

6.35 **(a) Accelerated Shallow Lake and Wetland**  
6.36 **Enhancement and Restoration Program**

7.1 \$6,505,000 in fiscal year 2011 is to the  
7.2 commissioner of natural resources to assess,  
7.3 enhance, and restore shallow lake and  
7.4 wetland habitats, to acquire land in fee or  
7.5 through permanent conservation easements  
7.6 for shallow lake program restoration, and to  
7.7 provide stewardship for acquired easements  
7.8 in cooperation with Ducks Unlimited, Inc.,  
7.9 or its successor. Of this appropriation,  
7.10 \$1,463,000 is for the Department of Natural  
7.11 Resources agency program acceleration  
7.12 and \$5,042,000 is for an agreement with  
7.13 Ducks Unlimited, Inc. A list of proposed  
7.14 projects, describing the types and locations  
7.15 of land acquisitions, restoration projects, and  
7.16 enhancement projects, must be provided as  
7.17 part of the required accomplishment plan.  
7.18 The commissioner of natural resources  
7.19 must agree to each acquisition, restoration  
7.20 project, and enhancement project. The  
7.21 accomplishment plan must include an  
7.22 easement stewardship plan. All restorations  
7.23 must comply with subdivision 9, paragraph  
7.24 (b).

7.25 **(b) Accelerate the Waterfowl Production Area**  
7.26 **Program in Minnesota**

7.27 \$3,505,000 in fiscal year 2011 is to the  
7.28 commissioner of natural resources for an  
7.29 agreement with Pheasants Forever or its  
7.30 successor to acquire and restore wetland and  
7.31 related upland habitats, in cooperation with  
7.32 the United States Fish and Wildlife Service  
7.33 and Ducks Unlimited, Inc. or its successor to  
7.34 be managed as waterfowl production areas.  
7.35 A list of proposed acquisitions and a list of  
7.36 proposed projects, describing the types and

8.1 locations of restorations, must be provided  
8.2 as part of the required accomplishment  
8.3 plan. All restorations must comply with  
8.4 subdivision 9, paragraph (b).

8.5 **(c) Reinvest in Minnesota Wetlands Reserve**  
8.6 **Program Acquisition and Restoration**

8.7 \$6,895,000 in fiscal year 2011 is to the Board  
8.8 of Water and Soil Resources to acquire  
8.9 permanent conservation easements and  
8.10 restore wetlands and associated uplands  
8.11 in cooperation with the United States  
8.12 Department of Agriculture Wetlands Reserve  
8.13 Program. A list of proposed acquisitions  
8.14 and a list of proposed projects, describing  
8.15 the types and locations of restorations,  
8.16 must be provided as part of the required  
8.17 accomplishment plan. All restorations must  
8.18 comply with subdivision 9, paragraph (b).

|      |                                |          |                   |
|------|--------------------------------|----------|-------------------|
| 8.19 | <b><u>Subd. 5. Habitat</u></b> | <u>0</u> | <u>17,563,000</u> |
|------|--------------------------------|----------|-------------------|

8.20 **(a) Metro Big Rivers Habitat Program**

8.21 \$2,397,000 in fiscal year 2011 is to the  
8.22 commissioner of natural resources for  
8.23 agreements for projects to protect, restore,  
8.24 and enhance natural systems of the Minnesota  
8.25 River, St. Croix River, Mississippi River, and  
8.26 their major tributaries as follows: \$500,000  
8.27 with Minnesota Valley Trust or its successor  
8.28 for fee title land acquisition; \$1,500,000 with  
8.29 the Trust for Public Land or its successor  
8.30 for fee title land acquisition; \$227,300 with  
8.31 the Friends of the Mississippi River or its  
8.32 successor for restoration, enhancement,  
8.33 and conservation easement acquisition; and  
8.34 \$169,700 with Great River Greening or its  
8.35 successor for restoration and enhancement.



9.1 The accomplishment plan must include an  
9.2 easement stewardship plan. All restorations  
9.3 must comply with subdivision 9, paragraph  
9.4 (b).

9.5 **(b) Accelerated Aquatic Management Area**  
9.6 **Acquisition**

9.7 \$3,416,000 in fiscal year 2011 is to the  
9.8 commissioner of natural resources to  
9.9 accelerate land acquisition by fee title and  
9.10 easements to be added to the state aquatic  
9.11 management area system as defined in  
9.12 Minnesota Statutes, chapter 86A, and to  
9.13 restore and enhance stream habitat and lake  
9.14 habitat. Land acquired in fee must remain  
9.15 open to hunting and fishing, consistent with  
9.16 the capacity of the land, during the open  
9.17 season, as determined by the commissioner  
9.18 of natural resources. A list of proposed  
9.19 fee title and easement acquisitions, stream  
9.20 habitat restorations and enhancements, and  
9.21 lake habitat restorations and enhancements  
9.22 must be provided as part of the required  
9.23 accomplishment plan.

9.24 **(c) Cold Water River and Stream Restoration,**  
9.25 **Protection, and Enhancement**

9.26 \$1,269,000 in fiscal year 2011 is to the  
9.27 commissioner of natural resources for an  
9.28 agreement with Trout Unlimited or its  
9.29 successor to restore, enhance, and protect  
9.30 cold water river and stream habitats in  
9.31 Minnesota. A list of proposed acquisitions  
9.32 and a list of proposed projects, describing  
9.33 the types and locations of restorations and  
9.34 enhancements, must be provided as part  
9.35 of the required accomplishment plan. The  
9.36 commissioner of natural resources must agree

10.1 to each proposed acquisition, restoration, and  
10.2 enhancement. All restorations must comply  
10.3 with subdivision 9, paragraph (b).

10.4 **(d) Dakota County Riparian and Lakeshore**  
10.5 **Protection and Restoration**

10.6 \$2,097,000 in fiscal year 2011 is to the  
10.7 commissioner of natural resources for  
10.8 an agreement with Dakota County for  
10.9 acquisition of permanent easements and  
10.10 enhancement and restoration of aquatic  
10.11 and associated upland habitat. A list of  
10.12 proposed acquisitions and restorations  
10.13 must be provided as part of the required  
10.14 accomplishment plan. The accomplishment  
10.15 plan must include an easement stewardship  
10.16 plan. All restorations must comply with  
10.17 subdivision 9, paragraph (b).

10.18 **(e) Valley Creek Protection Partnership**

10.19 \$1,218,000 in fiscal year 2011 is to the  
10.20 commissioner of natural resources for  
10.21 agreements on projects to protect, restore,  
10.22 and enhance natural systems of Valley Creek  
10.23 in Washington County as follows: \$838,000  
10.24 with Minnesota Land Trust or its successor;  
10.25 \$218,000 with Washington County;  
10.26 \$100,000 with the Belwin Conservancy or its  
10.27 successor; \$50,000 with Trout Unlimited or  
10.28 its successor; and \$12,000 with the Valley  
10.29 Branch Watershed District. All restorations  
10.30 must comply with subdivision 9, paragraph  
10.31 (b).

10.32 **(f) Anoka Sand Plain Restoration and**  
10.33 **Enhancement**

10.34 \$747,000 in fiscal year 2011 is to the  
10.35 commissioner of natural resources for an

11.1 agreement with Great River Greening or its  
11.2 successor to restore and enhance habitat on  
11.3 public property in the Anoka Sand Plain in  
11.4 Anoka, Chisago, Isanti, Benton, Washington,  
11.5 Morrison, and Sherburne Counties. All  
11.6 restorations must comply with subdivision  
11.7 9, paragraph (b).

11.8 **(g) Lower Mississippi River Habitat**  
11.9 **Restoration Acceleration**

11.10 \$1,000,000 in fiscal year 2011 is to  
11.11 the commissioner of natural resources  
11.12 to accelerate agency programs and for  
11.13 cooperative agreements to acquire land in  
11.14 the Root River watershed. A list of proposed  
11.15 acquisitions must be provided as part of  
11.16 the required accomplishment plan. The  
11.17 commissioner of natural resources must agree  
11.18 to each proposed acquisition, restoration, and  
11.19 enhancement. All restorations must comply  
11.20 with subdivision 9, paragraph (b).

11.21 **(h) Washington County St. Croix River Land**  
11.22 **Protection**

11.23 \$1,033,000 in fiscal year 2011 is to the  
11.24 commissioner of natural resources for an  
11.25 agreement with Washington County to  
11.26 acquire permanent easements to protect  
11.27 habitat associated with the St. Croix River  
11.28 Valley. A list of proposed acquisitions  
11.29 must be provided as part of the required  
11.30 accomplishment plan. The accomplishment  
11.31 plan must include an easement stewardship  
11.32 plan.

11.33 **(i) Outdoor Heritage Conservation Partners**  
11.34 **Grant Program**

11.35 \$4,386,000 in fiscal year 2011 is to the  
11.36 commissioner of natural resources for a pilot

12.1 program to provide competitive, matching  
12.2 grants of up to \$400,000 to local, regional,  
12.3 state, and national organizations, including  
12.4 government, for enhancement, restoration,  
12.5 or protection of forests, wetlands, prairies,  
12.6 and habitat for fish, game, or wildlife in  
12.7 Minnesota. The commissioner of natural  
12.8 resources shall give priority to organizations  
12.9 that have a history or charter to receive  
12.10 private contributions for local conservation  
12.11 or habitat projects. Up to four percent  
12.12 of this appropriation may be used by the  
12.13 commissioner of natural resources for  
12.14 administering the grant program. Grantees  
12.15 may acquire land or interests in land.  
12.16 Easements must be permanent. Land  
12.17 acquired in fee must be open to hunting  
12.18 and fishing during the open season unless  
12.19 otherwise provided by state law. The  
12.20 commissioner of natural resources must  
12.21 agree to each proposed acquisition of land or  
12.22 interest in land. The program shall require a  
12.23 cash match of at least ten percent nonstate  
12.24 funds. The criteria for evaluating grant  
12.25 applications must include amount of habitat  
12.26 restored, enhanced, or protected; local  
12.27 support; degree of collaboration; urgency;  
12.28 capacity to achieve multiple benefits;  
12.29 habitat benefits provided; consistency with  
12.30 sound conservation science; adjacency to  
12.31 protected lands; full funding of the project;  
12.32 supplementing existing funding; public  
12.33 access for hunting and fishing during the  
12.34 open season; sustainability; and use of native  
12.35 plant materials. All projects must conform  
12.36 to the Minnesota statewide conservation and

13.1 preservation plan. Wildlife habitat projects  
13.2 must also conform to the Minnesota wildlife  
13.3 action plan. Priority may be given to projects  
13.4 acquiring land or easements associated  
13.5 with existing wildlife management areas.  
13.6 All restoration or enhancement projects  
13.7 must be on land permanently protected by  
13.8 conservation easement or public ownership.  
13.9 Subdivision 9 applies to grants awarded  
13.10 under this paragraph. All restorations must  
13.11 comply with subdivision 9, paragraph (b).  
13.12 This appropriation is available until June  
13.13 30, 2014, at which time all grant project  
13.14 work must be completed and final products  
13.15 delivered, unless an earlier date is specified  
13.16 in the grant agreement. No less than five  
13.17 percent of the amount of each grant must  
13.18 be held back from reimbursement until  
13.19 the grant recipient has completed a grant  
13.20 accomplishment report by the deadline and  
13.21 in the form prescribed by and satisfactory to  
13.22 the Lessard-Sams Outdoor Heritage Council.

|       |                                                 |          |                |
|-------|-------------------------------------------------|----------|----------------|
| 13.23 | <u>Subd. 6. <b>Administration and Other</b></u> | <u>0</u> | <u>775,000</u> |
|-------|-------------------------------------------------|----------|----------------|

13.24 **(a) Contract Management**

13.25 \$175,000 in fiscal year 2011 is to the  
13.26 commissioner of natural resources for  
13.27 contract management duties assigned in this  
13.28 section.

13.29 **(b) Legislative Coordinating Commission**

13.30 \$600,000 in fiscal year 2011 is to the  
13.31 Legislative Coordinating Commission for  
13.32 administrative expenses of the Lessard-Sams  
13.33 Outdoor Heritage Council and for  
13.34 compensation and expense reimbursement  
13.35 of council members.

14.1 (c) Lessard-Sams Outdoor Heritage Council  
14.2 Site Visit Exception

14.3 Travel to and from site visits by council  
14.4 members that are paid for under paragraph  
14.5 (b) are not meetings of the council for the  
14.6 purpose of receiving information under  
14.7 Minnesota Statutes, section 97A.056,  
14.8 subdivision 5.

14.9 Subd. 7. **Availability of Appropriation**

14.10 Money appropriated in this section may  
14.11 not be spent on activities unless they are  
14.12 directly related to and necessary for a  
14.13 specific appropriation and are specified in the  
14.14 accomplishment plan. Money appropriated  
14.15 in this section must not be spent on indirect  
14.16 costs or other institutional overhead charges.

14.17 Unless otherwise provided, the amounts  
14.18 in this section are available until June 30,  
14.19 2013, when projects must be completed and  
14.20 final accomplishments reported. If a project  
14.21 receives federal funds, the time period  
14.22 of the appropriation is extended to equal  
14.23 the availability of federal funding. Funds  
14.24 appropriated for fee title acquisition of land  
14.25 may be used to restore and enhance land  
14.26 acquired with the appropriation.

14.27 Subd. 8. **Accomplishment Plans**

14.28 It is a condition of acceptance of the  
14.29 appropriations made by this section that the  
14.30 agency or entity using the appropriation shall  
14.31 submit to the council an accomplishment  
14.32 plan and periodic accomplishment  
14.33 reports in the form determined by the  
14.34 Lessard-Sams Outdoor Heritage Council.  
14.35 The accomplishment plan must account for

15.1 the use of the appropriation and outcomes  
15.2 of the expenditure in measures of wetlands,  
15.3 prairies, forests, and fish, game, and wildlife  
15.4 habitat restored, protected, and enhanced.  
15.5 The plan must include an evaluation of  
15.6 results. None of the money provided in this  
15.7 section may be expended unless the council  
15.8 has approved the pertinent accomplishment  
15.9 plan.

15.10 **Subd. 9. Project Requirements**

15.11 (a) As a condition of accepting an  
15.12 appropriation in this section, any agency  
15.13 or entity receiving an appropriation must  
15.14 comply with this subdivision for any project  
15.15 funded in whole or in part with funds from  
15.16 the appropriation.

15.17 (b) To the extent possible, a person  
15.18 conducting restoration with money  
15.19 appropriated in this section must plant  
15.20 vegetation or sow seed only of ecotypes  
15.21 native to Minnesota, and preferably of the  
15.22 local ecotype, using a high diversity of  
15.23 species originating from as close to the  
15.24 restoration site as possible, and protect  
15.25 existing native prairies, grasslands, forests,  
15.26 wetlands, and other aquatic systems from  
15.27 genetic contamination.

15.28 (c) All conservation easements acquired  
15.29 with money appropriated in this section  
15.30 must: (1) be permanent; (2) specify the  
15.31 parties to an easement; (3) specify all of  
15.32 the provisions of an agreement that are  
15.33 permanent; (4) specify the responsibilities  
15.34 of the parties for habitat enhancement and  
15.35 restoration and the associated costs of these

16.1 activities; (5) be sent to the office of the  
16.2 Lessard-Sams Outdoor Heritage Council; (6)  
16.3 include a long-term stewardship plan and  
16.4 identify the sources and amount of funding  
16.5 for monitoring and enforcing the easement  
16.6 agreement; and (7) identify the parties  
16.7 responsible for monitoring and enforcing the  
16.8 easement agreement.

16.9 (d) For all restorations, a recipient must  
16.10 prepare and retain an ecological restoration  
16.11 and management plan that, to the degree  
16.12 practicable, is consistent with the highest  
16.13 quality conservation and ecological goals for  
16.14 the restoration site. Consideration should  
16.15 be given to soil, geology, topography, and  
16.16 other relevant factors that would provide  
16.17 the best chance for long-term success of the  
16.18 restoration projects. The plan shall include  
16.19 the proposed timetable for implementing  
16.20 the restoration, including, but not limited  
16.21 to, site preparation, establishment of  
16.22 diverse plant species, maintenance, and  
16.23 additional enhancement to establish the  
16.24 restoration; identify long-term maintenance  
16.25 and management needs of the restoration  
16.26 and how the maintenance, management, and  
16.27 enhancement will be financed; and use the  
16.28 best available science to achieve the best  
16.29 restoration.

16.30 (e) For new lands acquired, a recipient  
16.31 must prepare a restoration and management  
16.32 plan in compliance with paragraph (d),  
16.33 including identification of sufficient funding  
16.34 for implementation.



17.1 (f) To ensure public accountability for the  
17.2 use of public funds, a recipient must provide  
17.3 to the Lessard-Sams Outdoor Heritage  
17.4 Council documentation of the selection  
17.5 process used to identify parcels acquired  
17.6 in fee or permanent conservation easement  
17.7 and provide the council with documentation  
17.8 of all related transaction costs, including,  
17.9 but not limited to, appraisals, legal fees,  
17.10 recording fees, commissions, other similar  
17.11 costs, and donations. This information  
17.12 must be provided for all parties involved  
17.13 in the transaction. The recipient shall  
17.14 also report to the Lessard-Sams Outdoor  
17.15 Heritage Council any difference between the  
17.16 acquisition amount paid to the seller and the  
17.17 state-certified or state-reviewed appraisal, if  
17.18 a state-certified or state-reviewed appraisal  
17.19 was conducted. Acquisition data such  
17.20 as appraisals may remain private during  
17.21 negotiations but must ultimately be made  
17.22 public according to Minnesota Statutes,  
17.23 chapter 13.

17.24 (g) Except as otherwise provided in this  
17.25 section, all restoration and enhancement  
17.26 projects with money appropriated in this  
17.27 section must be on land permanently  
17.28 protected by a conservation easement or  
17.29 public ownership.

17.30 (h) To the extent an appropriation is used to  
17.31 acquire an interest in real property, a recipient  
17.32 of an appropriation under this section must  
17.33 provide to the Lessard-Sams Outdoor  
17.34 Heritage Council and the commissioner  
17.35 of management and budget an analysis of  
17.36 increased operations and maintenance costs

18.1 likely to be incurred by public entities as  
18.2 a result of the acquisition and of how these  
18.3 costs are to be paid.

18.4 (i) A recipient of money from an  
18.5 appropriation in this section must give  
18.6 consideration to and make timely written  
18.7 contact with the Minnesota Conservation  
18.8 Corps for consideration of possible use of  
18.9 their services to contract for restoration and  
18.10 enhancement services. A copy of the written  
18.11 contact must be filed with the Lessard-Sams  
18.12 Outdoor Heritage Council within 15 days of  
18.13 execution.

18.14 (j) A recipient of money from this section  
18.15 must erect signage according to Laws 2009,  
18.16 chapter 172, article 5, section 10.

18.17 **Subd. 10. Payment Conditions and Capital**  
18.18 **Equipment Expenditures**

18.19 All agreements, grants, or contracts referred  
18.20 to in this section must be administered on  
18.21 a reimbursement basis unless otherwise  
18.22 provided in this section. Notwithstanding  
18.23 Minnesota Statutes, section 16A.41,  
18.24 expenditures directly related to each  
18.25 appropriation's purpose made on or after July  
18.26 1, 2010, are eligible for reimbursement unless  
18.27 otherwise provided in this section. Periodic  
18.28 reimbursement must be made upon receiving  
18.29 documentation that the deliverable items  
18.30 articulated in the approved accomplishment  
18.31 plan have been achieved, including partial  
18.32 achievements as evidenced by approved  
18.33 progress reports. Reasonable amounts may  
18.34 be advanced to projects to accommodate  
18.35 cash flow needs or to match federal share.  
18.36 The advances must be approved as part of

19.1 the accomplishment plan. Capital equipment  
19.2 expenditures for specific items in excess of  
19.3 \$10,000 must be approved as part of the  
19.4 accomplishment plan.

19.5 **Subd. 11. Purchase of Recycled and Recyclable**  
19.6 **Materials**

19.7 A political subdivision, public or private  
19.8 corporation, or other entity that receives an  
19.9 appropriation in this section must use the  
19.10 appropriation in compliance with Minnesota  
19.11 Statutes, sections 16B.121, regarding  
19.12 purchase of recycled, repairable, and durable  
19.13 materials, and 16B.122, regarding purchase  
19.14 and use of paper stock and printing.

19.15 **Subd. 12. Accessibility**

19.16 Structural and nonstructural facilities must  
19.17 meet the design standards in the Americans  
19.18 with Disabilities Act (ADA) accessibility  
19.19 guidelines.

19.20 **Subd. 13. Land Acquisition Restrictions**

19.21 (a) An interest in real property, including, but  
19.22 not limited to, an easement or fee title, that  
19.23 is acquired with money appropriated under  
19.24 this section must be used in perpetuity or for  
19.25 the specific term of an easement interest for  
19.26 the purpose for which the appropriation was  
19.27 made.

19.28 (b) A recipient of funding who acquires  
19.29 an interest in real property subject to this  
19.30 subdivision may not alter the intended use  
19.31 of the interest in real property or convey  
19.32 any interest in the real property acquired  
19.33 with the appropriation without the prior  
19.34 review and approval of the Lessard-Sams  
19.35 Outdoor Heritage Council or its successor.

20.1 The council shall establish procedures to  
20.2 review requests from recipients to alter  
20.3 the use of or convey an interest in real  
20.4 property. These procedures shall allow  
20.5 for the replacement of the interest in real  
20.6 property with another interest in real property  
20.7 meeting the following criteria: (1) the  
20.8 interest is at least equal in fair market value,  
20.9 as certified by the commissioner of natural  
20.10 resources, to the interest being replaced; and  
20.11 (2) the interest is in a reasonably equivalent  
20.12 location and has a reasonably equivalent  
20.13 useful conservation purpose compared to the  
20.14 interest being replaced.

20.15 (c) A recipient of funding who acquires an  
20.16 interest in real property under paragraph  
20.17 (a) must separately record a notice of  
20.18 funding restrictions in the appropriate local  
20.19 government office where the conveyance  
20.20 of the interest in real property is filed. The  
20.21 notice of funding agreement must contain:  
20.22 (1) a legal description of the interest in real  
20.23 property covered by the funding agreement;  
20.24 (2) a reference to the underlying funding  
20.25 agreement; (3) a reference to this section; and  
20.26 (4) the following statement: "This interest  
20.27 in real property shall be administered in  
20.28 accordance with the terms, conditions, and  
20.29 purposes of the grant agreement controlling  
20.30 the acquisition of the property. The interest  
20.31 in real property, or any portion of the interest  
20.32 in real property, shall not be sold, transferred,  
20.33 pledged, or otherwise disposed of or further  
20.34 encumbered without obtaining the prior  
20.35 written approval of the Lessard-Sams  
20.36 Outdoor Heritage Council or its successor.

21.1 The ownership of the interest in real property  
21.2 shall transfer to the state if: (1) the holder of  
21.3 the interest in real property fails to comply  
21.4 with the terms and conditions of the grant  
21.5 agreement or accomplishment plan; or  
21.6 (2) restrictions are placed on the land that  
21.7 preclude its use for the intended purpose as  
21.8 specified in the appropriation."

21.9 **Subd. 14. Real Property Interest Report**

21.10 By December 1 each year, a recipient of  
21.11 money appropriated under this section that  
21.12 is used for the acquisition of an interest in  
21.13 real property, including, but not limited to,  
21.14 an easement or fee title, must submit annual  
21.15 reports on the status of the real property to  
21.16 the Lessard-Sams Outdoor Heritage Council  
21.17 or its successor in a form determined by the  
21.18 council. The responsibility for reporting  
21.19 under this section may be transferred by  
21.20 the recipient of the appropriation to another  
21.21 person or entity that holds the interest in the  
21.22 real property. To complete the transfer of  
21.23 reporting responsibility, the recipient of the  
21.24 appropriation must: (1) inform the person to  
21.25 whom the responsibility is transferred of that  
21.26 person's reporting responsibility; (2) inform  
21.27 the person to whom the responsibility is  
21.28 transferred of the property restrictions under  
21.29 subdivision 13; (3) provide written notice  
21.30 to the council of the transfer of reporting  
21.31 responsibility, including contact information  
21.32 for the person to whom the responsibility is  
21.33 transferred; and (4) provide the Lessard-Sams  
21.34 Outdoor Heritage Council or its successor  
21.35 written documentation from the person or  
21.36 entity holding the interest in real property

- 22.1 certifying its acceptance of all reporting
- 22.2 obligations and responsibilities previously
- 22.3 held by the recipient of the appropriation.
- 22.4 After the transfer, the person or entity that
- 22.5 holds the interest in the real property is
- 22.6 responsible for reporting requirements under
- 22.7 this section.