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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1113

03/04/2013 Authored by Wagenius, Persell, Torkelson, Fabian and Lillie

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

1.1 A bill for an act
1.2 relating to natural resources; appropriating money from environment and natural
1.3 resources trust fund; modifying requirements for land acquisition with trust
1.4 fund money; amending Minnesota Statutes 2012, sections 116P.15; 116P.16;
1.5 proposing coding for new law in Minnesota Statutes, chapter 116P.

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

1.7 Section 1. APPROPRIATIONS.

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

1.16		APPROPRIATIONS	
1.17		Available for the Year	
1.18		Ending June 30	
1.19		<u>2014</u>	<u>2015</u>

1.20 Sec. 2. MINNESOTA RESOURCES

1.21	<u>Subdivision 1. Total Appropriation</u>	\$	<u>33,810,000</u>	\$	<u>4,350,000</u>
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2.1	<u>Appropriations by Fund</u>	
2.2	<u>2014</u>	<u>2015</u>
2.3	<u>Environment and</u>	
2.4	<u>natural resources</u>	
2.5	<u>trust fund</u>	<u>33,810,000</u> <u>4,350,000</u>

2.6 The amounts that may be spent for each
 2.7 purpose are specified in the following
 2.8 subdivisions.

2.9 Appropriations are available for two
 2.10 years beginning July 1, 2013, unless
 2.11 otherwise stated in the appropriation. Any
 2.12 unencumbered balance remaining in the first
 2.13 year does not cancel and is available for the
 2.14 second year.

2.15 Subd. 2. **Definition**

2.16 "Trust fund" means the Minnesota
 2.17 environment and natural resources trust fund
 2.18 referred to in Minnesota Statutes, section
 2.19 116P.02, subdivision 6.

2.20 Subd. 3. **Natural Resource Data and**
 2.21 **Information**

8,076,000

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2.22 (a) **Minnesota Biological Survey**

2.23 \$2,650,000 the first year is from the
 2.24 trust fund to the commissioner of natural
 2.25 resources for continuation of the Minnesota
 2.26 biological survey to provide a foundation
 2.27 for conserving biological diversity by
 2.28 systematically collecting, interpreting,
 2.29 monitoring, and delivering data on plant and
 2.30 animal distribution and ecology, native plant
 2.31 communities, and functional landscapes.

2.32 (b) **County Geologic Atlases - Part A**

2.33 \$1,200,000 the first year is from the trust fund
 2.34 to the Board of Regents of the University
 2.35 of Minnesota to continue the acceleration

3.1 of the production of county geologic atlases
 3.2 that define aquifer boundaries and the
 3.3 connection of aquifers to the land surface and
 3.4 surface water resources for the purpose of
 3.5 sustainable management of surface water and
 3.6 groundwater resources. This appropriation
 3.7 is available until June 30, 2016, by which
 3.8 time the project must be completed and final
 3.9 products delivered.

3.10 **(c) County Geologic Atlases - Part B**

3.11 \$1,200,000 the first year is from the trust
 3.12 fund to the commissioner of natural resources
 3.13 to continue the analysis and compilation
 3.14 of groundwater data for the production
 3.15 of county geologic atlases, publication of
 3.16 geospatial groundwater data, and continued
 3.17 mapping of springsheds and karst features
 3.18 for Winona and Houston Counties. This
 3.19 appropriation is available until June 30,
 3.20 2016, by which time the project must be
 3.21 completed and final products delivered.

3.22 **(d) Updating National Wetland Inventory for**
 3.23 **Minnesota - Phase IV**

3.24 \$1,000,000 the first year is from the trust
 3.25 fund to the commissioner of natural resources
 3.26 to continue the update and enhancement
 3.27 of wetland inventory maps for Minnesota.
 3.28 This appropriation is available until June
 3.29 30, 2016, by which time the project must be
 3.30 completed and final products delivered.

3.31 **(e) Conservation Easement Stewardship**
 3.32 **Program - Phase III**

3.33 \$200,000 the first year is from the trust fund
 3.34 to the commissioner of natural resources
 3.35 for the final phase to bring conservation

4.1 easements held by the Department of Natural
 4.2 Resources up to minimum conservation
 4.3 standards, through monitoring, baseline data
 4.4 collection, and baseline report preparation.

4.5 **(f) Harnessing Soudan Mine Microbes:**
 4.6 **Bioremediation, Bioenergy, and Biocontrol**

4.7 \$838,000 the first year is from the trust fund
 4.8 to the Board of Regents of the University of
 4.9 Minnesota to continue the characterization of
 4.10 unique microbes discovered in the Soudan
 4.11 Underground Mine State Park that have
 4.12 potential applications for metal remediation
 4.13 in water resources, microbial electrofuels,
 4.14 and biocontrol of white-nose bat syndrome.

4.15 This appropriation is available until June
 4.16 30, 2016, by which time the project must be
 4.17 completed and final products delivered.

4.18 **(g) Improved Rapid Forest Ecosystem and**
 4.19 **Habitat Inventory**

4.20 \$262,000 the first year is from the trust fund
 4.21 to the Board of Regents of the University
 4.22 of Minnesota to evaluate a new approach to
 4.23 forest inventory, based on statewide forest
 4.24 inventory and analysis (FIA) data.

4.25 **(h) Finding Disease Resistant Elm Trees in**
 4.26 **Minnesota**

4.27 \$200,000 the first year is from the trust fund
 4.28 to the Board of Regents of the University
 4.29 of Minnesota to evaluate and identify
 4.30 native Minnesota elms resistant to Dutch
 4.31 elm disease to assist with limiting the
 4.32 susceptibility of the state's elms to Dutch elm
 4.33 disease. This appropriation is available until
 4.34 June 30, 2016, by which time the project must
 4.35 be completed and final products delivered.

5.1 **(i) Enhancing Timber Sale Program**
 5.2 **Environmental and Economic Sustainability**

5.3 \$336,000 the first year is from the trust fund
 5.4 to the Board of Regents of the University
 5.5 of Minnesota to evaluate the impacts of
 5.6 timber payment methods on postharvest
 5.7 forest ecological conditions and net revenue
 5.8 generated from public timber sale programs.

5.9 This appropriation is available until June
 5.10 30, 2016, by which time the project must be
 5.11 completed and final products delivered.

5.12 **(j) Enhancing Environmental and Economic**
 5.13 **Benefits of Woodland Grazing**

5.14 \$190,000 the first year is from the trust fund
 5.15 to the Board of Regents of the University of
 5.16 Minnesota to evaluate management options
 5.17 for woodlands used for grazing to improve
 5.18 ecological and economic benefits. This
 5.19 appropriation is available until June 30,
 5.20 2016, by which time the project must be
 5.21 completed and final products delivered.

5.22 **Subd. 4. Land, Habitat, Restoration, and**
 5.23 **Recreation**

13,522,000

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5.24 **(a) State Parks and Trails Land Acquisition**

5.25 \$1,000,000 the first year is from the trust
 5.26 fund to the commissioner of natural resources
 5.27 to acquire authorized state trails and critical
 5.28 parcels within the statutory boundaries
 5.29 of state parks. State park land acquired
 5.30 with this appropriation must be sufficiently
 5.31 improved to meet at least minimum
 5.32 management standards, as determined by the
 5.33 commissioner of natural resources. A list
 5.34 of proposed acquisitions must be provided
 5.35 as part of the required work plan. This

6.1 appropriation is available until June 30,
 6.2 2016, by which time the project must be
 6.3 completed and final products delivered.

6.4 **(b) Scientific and Natural Area Restoration,**
 6.5 **Enhancement, and Citizen Engagement**

6.6 \$1,500,000 the first year is from the
 6.7 trust fund to the commissioner of natural
 6.8 resources to conserve sites of biodiversity
 6.9 significance by restoring and enhancing
 6.10 lands established as scientific and natural
 6.11 areas as provided in Minnesota Statutes,
 6.12 section 86A.05, subdivision 5, and providing
 6.13 volunteer engagement and outreach. This
 6.14 appropriation is available until June 30,
 6.15 2016, by which time the project must be
 6.16 completed and final products delivered.

6.17 **(c) Native Prairie Stewardship and Native**
 6.18 **Prairie Bank Easement Acquisition**

6.19 \$750,000 the first year is from the trust fund
 6.20 to the commissioner of natural resources
 6.21 to acquire native prairie bank easements,
 6.22 prepare baseline property assessments,
 6.23 restore and enhance native prairie sites, and
 6.24 provide technical assistance to landowners.
 6.25 This appropriation is available until June
 6.26 30, 2016, by which time the project must be
 6.27 completed and final products delivered.

6.28 **(d) Metropolitan Conservation Corridors**
 6.29 **(MeCC) - Phase VII**

6.30 \$2,000,000 the first year is from the trust
 6.31 fund for the acceleration of agency programs
 6.32 and cooperative agreements. Of this
 6.33 appropriation, \$10,000 is to the commissioner
 6.34 of natural resources for agency programs
 6.35 and \$1,990,000 is to the commissioner of ...
 6.36 for agreements as follows: \$304,000 with

7.1 Friends of the Mississippi River; \$368,000
7.2 with Dakota County; \$208,000 with Great
7.3 River Greening; \$310,000 with Minnesota
7.4 Land Trust; \$400,000 with Minnesota Valley
7.5 National Wildlife Refuge Trust, Inc.; and
7.6 \$400,000 with the Trust for Public Land for
7.7 planning, restoring, and protecting priority
7.8 natural areas in the metropolitan area, as
7.9 defined under Minnesota Statutes, section
7.10 473.121, subdivision 2, and portions of the
7.11 surrounding counties, through contracted
7.12 services, technical assistance, conservation
7.13 easements, and fee title acquisition. Land
7.14 acquired with this appropriation must
7.15 be sufficiently improved to meet at least
7.16 minimum management standards, as
7.17 determined by the commissioner of natural
7.18 resources. Expenditures are limited to the
7.19 identified project corridor areas as defined in
7.20 the work plan. This appropriation may not be
7.21 used for the purchase of habitable residential
7.22 structures, unless expressly approved in the
7.23 work plan. All conservation easements must
7.24 be perpetual and have a natural resource
7.25 management plan. Any land acquired in fee
7.26 title by the commissioner of natural resources
7.27 with money from this appropriation must
7.28 be designated as an outdoor recreation unit
7.29 under Minnesota Statutes, section 86A.07.
7.30 The commissioner may similarly designate
7.31 any lands acquired in less than fee title. A
7.32 list of proposed restorations and fee title
7.33 and easement acquisitions must be provided
7.34 as part of the required work plan. Lands
7.35 that would require payments in lieu of taxes
7.36 under Minnesota Statutes, section 97A.061

8.1 or 477A.12, shall not be acquired with money
 8.2 from this appropriation. Up to \$54,000 is for
 8.3 use by Minnesota Land Trust in a monitoring
 8.4 and enforcement fund as approved in the
 8.5 work plan and subject to subdivision 16. An
 8.6 entity that acquires a conservation easement
 8.7 with appropriations from the trust fund
 8.8 must have a long-term stewardship plan
 8.9 for the easement and a fund established for
 8.10 monitoring and enforcing the agreement.
 8.11 Money appropriated from the trust fund for
 8.12 easement acquisition may be used to establish
 8.13 a monitoring, management, and enforcement
 8.14 fund as approved in the work plan. An
 8.15 annual financial report is required for any
 8.16 monitoring, management, and enforcement
 8.17 fund established, including expenditures
 8.18 from the fund. This appropriation is available
 8.19 until June 30, 2016, by which time the
 8.20 project must be completed and final products
 8.21 delivered.

8.22 **(e) Landscape Arboretum Acquisition - Lake**
 8.23 **Tamarack**

8.24 \$2,000,000 the first year is from the trust fund
 8.25 to the Board of Regents of the University
 8.26 of Minnesota to acquire land surrounding
 8.27 Lake Tamarack in Hennepin County as part
 8.28 of the acquisition of approximately 80 acres.
 8.29 This appropriation is available until June
 8.30 30, 2016, by which time the project must be
 8.31 completed and final products delivered.

8.32 **(f) Conservation Program Technical Assistance**
 8.33 **Grants**

8.34 \$3,000,000 the first year is from the trust fund
 8.35 to the Board of Water and Soil Resources to
 8.36 continue providing grants to soil and water

9.1 conservation districts and other units of local
 9.2 and state government for the employment
 9.3 of staff to reenroll expiring lands into
 9.4 programs for conservation purposes. This
 9.5 appropriation is available until June 30,
 9.6 2016, by which time the project must be
 9.7 completed and final products delivered.

9.8 **(g) Moose Habitat Restoration in Northeastern**
 9.9 **Minnesota**

9.10 \$200,000 the first year is from the trust fund
 9.11 to the Board of Regents of the University
 9.12 of Minnesota for the Natural Resources
 9.13 Research Institute to develop best practices
 9.14 guidelines for creating moose foraging
 9.15 habitat efficiently and cost-effectively. This
 9.16 appropriation is available until June 30,
 9.17 2016, by which time the project must be
 9.18 completed and final products delivered.

9.19 **(h) Bee Pollinator Habitat Enhancement**

9.20 \$200,000 the first year is from the trust
 9.21 fund to the Board of Regents of the
 9.22 University of Minnesota to assess the
 9.23 potential to supplement traditional turf grass
 9.24 by providing critical floral plant resources
 9.25 to enhance bee pollinator habitat. This
 9.26 appropriation is available until June 30,
 9.27 2016, by which time the project must be
 9.28 completed and final products delivered.

9.29 **(i) Conservation Grazing to Improve Wildlife**
 9.30 **Habitat on Wildlife Management Areas**

9.31 \$600,000 the first year is from the trust fund
 9.32 to the commissioner of natural resources
 9.33 to develop grazing plans and provide
 9.34 infrastructure to support conservation
 9.35 grazing on approximately 10,000 acres

10.1 of targeted wildlife management areas in
 10.2 partnership with local livestock producers.

10.3 Any revenue generated as a result of
 10.4 this appropriation must be reinvested in
 10.5 producing plans, conducting maintenance,
 10.6 or building infrastructure for new or
 10.7 existing conservation grazing efforts. This
 10.8 appropriation is available until June 30,
 10.9 2016, by which time the project must be
 10.10 completed and final products delivered.

10.11 **(j) Preserving the Avon Hills Landscape -**
 10.12 **Phase II**

10.13 \$772,000 the first year is from the trust fund
 10.14 to the commissioner of for an agreement
 10.15 with Saint John's University in cooperation
 10.16 with the Minnesota Land Trust to secure
 10.17 permanent conservation easements on high
 10.18 quality habitat in Stearns County, prepare
 10.19 conservation management plans, and provide
 10.20 public outreach. A list of proposed easement
 10.21 acquisitions must be provided as part of the
 10.22 required work plan. Up to \$80,000 is for use
 10.23 by Minnesota Land Trust in a monitoring
 10.24 and enforcement fund as approved in the
 10.25 work plan and subject to subdivision 16. An
 10.26 entity that acquires a conservation easement
 10.27 with appropriations from the trust fund
 10.28 must have a long-term stewardship plan
 10.29 for the easement and a fund established for
 10.30 monitoring and enforcing the agreement.
 10.31 Money appropriated from the trust fund for
 10.32 easement acquisition may be used to establish
 10.33 a monitoring, management, and enforcement
 10.34 fund as approved in the work plan. An
 10.35 annual financial report is required for any
 10.36 monitoring, management, and enforcement

11.1 fund established, including expenditures
 11.2 from the fund. This appropriation is available
 11.3 until June 30, 2016, by which time the
 11.4 project must be completed and final products
 11.5 delivered.

11.6 **(k) Frogtown Farm and Park Acquisition**

11.7 \$1,500,000 the first year is from the trust fund
 11.8 to the commissioner of for an agreement
 11.9 with the Trust for Public Land to acquire a
 11.10 portion of 12 acres for Frogtown Farm and
 11.11 Park to be established as a St. Paul city park.

11.12 **Subd. 5. Water Resources** 3,819,000 -0-

11.13 **(a) Sustaining Lakes in Changing Environment**
 11.14 **- Phase II**

11.15 \$1,200,000 the first year is from the
 11.16 trust fund to the commissioner of natural
 11.17 resources in cooperation with the United
 11.18 States Geological Survey, the University of
 11.19 Minnesota, and the University of St. Thomas
 11.20 to continue development and implementation
 11.21 of monitoring, modeling, and reporting
 11.22 protocols for Minnesota lakes to be used
 11.23 in water and fisheries management. This
 11.24 appropriation is available until June 30,
 11.25 2016, by which time the project must be
 11.26 completed and final products delivered.

11.27 **(b) Assessment of Natural Copper-Nickel**
 11.28 **Bedrocks on Water Quality**

11.29 \$585,000 the first year is from the trust fund
 11.30 to the Board of Regents of the University of
 11.31 Minnesota in cooperation with the United
 11.32 States Geological Survey to assess impacts
 11.33 of existing mineralization and potential
 11.34 mining on northeastern Minnesota regional
 11.35 water quality, including impacts from copper,

12.1 nickel, and other metal concentrations in
 12.2 rocks, streambed sediments, and soils in
 12.3 areas of potential base-metal mining. This
 12.4 appropriation is available until June 30,
 12.5 2016, by which time the project must be
 12.6 completed and final products delivered.

12.7 **(c) Heron Lake Sediment and Phosphorus**
 12.8 **Reduction Implementation Projects**

12.9 \$122,000 the first year is from the trust fund
 12.10 to the Board of Water and Soil Resources for
 12.11 an agreement with the Heron Lake Watershed
 12.12 District for public outreach and installation
 12.13 and monitoring of water quality improvement
 12.14 projects. This appropriation is available until
 12.15 June 30, 2016, by which time the project must
 12.16 be completed and final products delivered.

12.17 **(d) Southern Minnesota Lakes Restoration**

12.18 \$463,000 the first year is from the trust fund
 12.19 to the Board of Water and Soil Resources
 12.20 for an agreement with Le Sueur County
 12.21 to install shoreland and agricultural best
 12.22 management practices to improve water
 12.23 quality for 14 lakes in a tri-county area in
 12.24 southern Minnesota. This appropriation
 12.25 is available until June 30, 2016, by which
 12.26 time the project must be completed and final
 12.27 products delivered.

12.28 **(e) Measuring Hydrologic Benefits from**
 12.29 **Glacial Ridge Habitat Restoration**

12.30 \$400,000 the first year is from the trust
 12.31 fund to the commissioner of for an
 12.32 agreement with the Red Lake Watershed
 12.33 District in cooperation with the United States
 12.34 Geological Survey to compare the hydrology
 12.35 of habitats before and after restorations to

13.1 evaluate and quantify the impacts on flood
 13.2 reduction and water quality in order to inform
 13.3 improvements to restoration techniques.
 13.4 This appropriation is available until June
 13.5 30, 2016, by which time the project must be
 13.6 completed and final products delivered.

13.7 **(f) Evaluation of Lake Superior Water Quality**
 13.8 **Health**

13.9 \$600,000 the first year is from the trust fund
 13.10 to the Board of Regents of the University
 13.11 of Minnesota to evaluate impacts to Lake
 13.12 Superior from a changing thermal structure
 13.13 and invasive species in order to implement
 13.14 lake water quality management strategies.
 13.15 This appropriation is available until June
 13.16 30, 2016, by which time the project must be
 13.17 completed and final products delivered.

13.18 **(g) Membranes for Wastewater-Generated**
 13.19 **Hydrogen and Clean Water**

13.20 \$246,000 the first year is from the trust fund
 13.21 to the Board of Regents of the University
 13.22 of Minnesota to develop, optimize, and test
 13.23 membranes made of thin film polymers
 13.24 embedded with selected bacteria to
 13.25 generate clean water and energy in the
 13.26 form of hydrogen from wastewater. This
 13.27 appropriation is available until June 30,
 13.28 2016, by which time the project must be
 13.29 completed and final products delivered.

13.30 **(h) Antibiotics in Minnesota Waters - Phase II**
 13.31 **Mississippi River**

13.32 \$203,000 the first year is from the trust fund
 13.33 to the commissioner of for an agreement
 13.34 with the University of St. Thomas to measure
 13.35 antibiotic concentrations and antibiotic
 13.36 resistance levels and assess the contributions

14.1 of farm runoff and wastewater treatment
 14.2 in a portion of the Mississippi River. This
 14.3 appropriation is available until June 30,
 14.4 2016, by which time the project must be
 14.5 completed and final products delivered.

14.6 **Subd. 6. Aquatic and Terrestrial Invasive**
 14.7 **Species**

6,632,000

4,350,000

14.8 **(a) Aquatic Invasive Species Research Center**

14.9 \$4,350,000 the first year and \$4,350,000
 14.10 the second year are from the trust fund to
 14.11 the Board of Regents of the University of
 14.12 Minnesota to develop and support an aquatic
 14.13 invasive species (AIS) research center at the
 14.14 University of Minnesota that will develop
 14.15 new techniques to control aquatic invasive
 14.16 species including Asian carp, zebra mussels,
 14.17 and plant species. This appropriation is
 14.18 available until June 30, 2019, by which time
 14.19 the project must be completed and final
 14.20 products delivered.

14.21 **(b) Detecting and Monitoring Asian Carp**
 14.22 **Populations**

14.23 \$540,000 the first year is from the trust fund
 14.24 to the commissioner of natural resources to
 14.25 accelerate a search and monitoring program
 14.26 directly targeting Asian carp to be used in the
 14.27 development of potential control strategies.

14.28 **(c) Improving Emerald Ash Borer Detection**
 14.29 **Efficacy for Control**

14.30 \$600,000 the first year is from the trust
 14.31 fund to evaluate and implement options for
 14.32 effective detection of the presence of emerald
 14.33 ash borer. Of this appropriation, \$240,000
 14.34 is to the commissioner of agriculture and
 14.35 \$360,000 is to the Board of Regents of the

15.1 University of Minnesota. This appropriation
 15.2 is available until June 30, 2016, by which
 15.3 time the project must be completed and final
 15.4 products delivered.

15.5 **(d) Elimination of Target Invasive Plant Species**

15.6 \$350,000 the first year is from the trust fund
 15.7 to the commissioner of agriculture to train
 15.8 volunteers and professionals to find, control,
 15.9 and monitor targeted newly emergent
 15.10 invasive species. This appropriation is
 15.11 available until June 30, 2016, by which time
 15.12 the project must be completed and final
 15.13 products delivered.

15.14 **(e) Biological Control of Garlic Mustard**

15.15 \$140,000 the first year is from the trust fund
 15.16 to the commissioner of natural resources in
 15.17 cooperation with the University of Minnesota
 15.18 to continue the implementation of biological
 15.19 control for invasive garlic mustard plants.
 15.20 This appropriation is available until June
 15.21 30, 2016, by which time the project must be
 15.22 completed and final products delivered.

15.23 **(f) Zebra Mussel Control Research and**
 15.24 **Evaluation in Minnesota Waters**

15.25 \$600,000 the first year is from the trust fund
 15.26 to the commissioner of for an agreement
 15.27 with the United States Geological Survey,
 15.28 Upper Midwest Environmental Sciences
 15.29 Center, to assess the ecological impacts
 15.30 of a commercially available molluscicide
 15.31 formulation on the reproduction and
 15.32 development of native fish, as well as impacts
 15.33 on larval aquatic insect survival, and to
 15.34 evaluate the effectiveness of these treatment
 15.35 options for detection and control of zebra

16.1 mussels. This appropriation is available until
 16.2 June 30, 2016, by which time the project must
 16.3 be completed and final products delivered.

16.4 **(g) Controlling Terrestrial Invasive Plants with**
 16.5 **Grazing Animals**

16.6 \$52,000 the first year is from the trust fund to
 16.7 the commissioner of for an agreement
 16.8 with Hiawatha Valley Resource Conservation
 16.9 and Development, Inc. to develop cost
 16.10 effective best management practices to
 16.11 control invasive terrestrial species through
 16.12 planned grazing. This appropriation is
 16.13 available until June 30, 2016, by which time
 16.14 the project must be completed and final
 16.15 products delivered.

16.16 **Subd. 7. Environmental Education** 636,000 -0-

16.17 **(a) Minnesota Conservation Apprentice**
 16.18 **Academy**

16.19 \$186,000 the first year is from the trust fund
 16.20 to the Board of Water and Soil Resources
 16.21 in cooperation with the Conservation
 16.22 Corps Minnesota to continue a program
 16.23 to train and mentor future conservation
 16.24 professionals by providing apprenticeship
 16.25 service opportunities with soil and water
 16.26 conservation districts.

16.27 **(b) Youth Outdoors: Mississippi River**
 16.28 **Education and Employment Opportunities**

16.29 \$450,000 the first year is from the trust fund
 16.30 to the commissioner of for an agreement
 16.31 with Wilderness Inquiry to provide outdoor
 16.32 education, recreation, and youth employment
 16.33 on the Mississippi River from Grand Rapids
 16.34 to St. Cloud, the Twin Cities, Hastings, and
 16.35 Red Wing. This appropriation is available

17.1 until June 30, 2016, by which time the
 17.2 project must be completed and final products
 17.3 delivered.

17.4 **Subd. 8. Administration and Contract**
 17.5 **Agreement Reimbursement**

1,125,000

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17.6 **(a) Legislative-Citizen Commission on**
 17.7 **Minnesota Resources (LCCMR)**

17.8 \$990,000 the first year is from the trust fund to
 17.9 the LCCMR for administration in fiscal years
 17.10 2014 and 2015 as provided in Minnesota
 17.11 Statutes, section 116P.09, subdivision 5.

17.12 **(b) Contract Agreement Reimbursement**

17.13 \$135,000 the first year is from the trust
 17.14 fund to the at the direction of
 17.15 the Legislative-Citizen Commission on
 17.16 Minnesota Resources for expenses incurred
 17.17 for contract agreement reimbursement for
 17.18 the agreements specified in this section. The
 17.19 commissioner shall provide documentation
 17.20 to the Legislative-Citizen Commission on
 17.21 Minnesota Resources on the expenditure of
 17.22 these funds.

17.23 **Subd. 9. Availability of Appropriations**

17.24 Money appropriated in this section may
 17.25 not be spent on activities unless they are
 17.26 directly related to and necessary for a specific
 17.27 appropriation and are specified in the work
 17.28 plan approved by the Legislative-Citizen
 17.29 Commission on Minnesota Resources.

17.30 Money appropriated in this section must not
 17.31 be spent on indirect costs or other institutional
 17.32 overhead charges that are not directly related
 17.33 to and necessary for a specific appropriation.

17.34 Unless otherwise provided, the amounts in
 17.35 this section are available until June 30, 2015,

18.1 when projects must be completed and final
18.2 products delivered. For acquisition of real
18.3 property, the appropriations in this section
18.4 are available for an additional fiscal year if a
18.5 binding contract for acquisition of the real
18.6 property is entered into before the original
18.7 expiration date of the appropriation. If a
18.8 project receives a federal grant, the time
18.9 period of the appropriation is extended to
18.10 equal the federal grant period.

18.11 **Subd. 10. Data Availability Requirements**

18.12 Data collected by the projects funded under
18.13 this section must conform to guidelines
18.14 and standards adopted by MN.IT Services.
18.15 Spatial data also must conform to additional
18.16 guidelines and standards designed to support
18.17 data coordination and distribution that have
18.18 been published by the Minnesota Geospatial
18.19 Information Office. Descriptions of spatial
18.20 data must be prepared as specified in
18.21 the state's geographic metadata guideline
18.22 and must be submitted to the Minnesota
18.23 Geospatial Information Office. All data must
18.24 be accessible and free to the public unless
18.25 made private under the Data Practices Act,
18.26 Minnesota Statutes, chapter 13.

18.27 To the extent practicable, summary data and
18.28 results of projects funded under this section
18.29 should be readily accessible on the Internet
18.30 and identified as having received funding
18.31 from the environment and natural resources
18.32 trust fund.

18.33 **Subd. 11. Project Requirements**

18.34 (a) As a condition of accepting an
18.35 appropriation under this section, any agency

19.1 or entity receiving an appropriation or a
19.2 party to an agreement from an appropriation
19.3 must comply with paragraphs (b) to (k)
19.4 and Minnesota Statutes, chapter 116P, and
19.5 must submit a work plan and semiannual
19.6 progress reports in the form determined
19.7 by the Legislative-Citizen Commission on
19.8 Minnesota Resources for any project funded
19.9 in whole or in part with funds from the
19.10 appropriation. Modifications to the approved
19.11 work plan and budget expenditures shall
19.12 be made through the amendment process
19.13 established by the Legislative-Citizen
19.14 Commission on Minnesota Resources.

19.15 (b) For all restorations conducted with
19.16 money appropriated under this section,
19.17 a recipient must prepare an ecological
19.18 restoration and management plan that, to
19.19 the degree practicable, is consistent with the
19.20 highest quality conservation and ecological
19.21 goals for the restoration site. Consideration
19.22 should be given to soil, geology, topography,
19.23 and other relevant factors that would provide
19.24 the best chance for long-term success of the
19.25 restoration projects. The plan must include
19.26 the proposed timetable for implementing
19.27 the restoration, including site preparation,
19.28 establishment of diverse plant species,
19.29 maintenance, and additional enhancement to
19.30 establish the restoration; identify long-term
19.31 maintenance and management needs of
19.32 the restoration and how the maintenance,
19.33 management, and enhancement will be
19.34 financed; and take advantage of the best
19.35 available science and include innovative
19.36 techniques to achieve the best restoration.

20.1 (c) Any entity receiving an appropriation in
20.2 this section for restoration activities must
20.3 provide an initial restoration evaluation
20.4 at the completion of the appropriation
20.5 and an evaluation three years beyond the
20.6 completion of the expenditure. Restorations
20.7 must be evaluated relative to the stated
20.8 goals and standards in the restoration plan,
20.9 current science, and, when applicable, the
20.10 Board of Water and Soil Resources' native
20.11 vegetation establishment and enhancement
20.12 guidelines. The evaluation shall determine
20.13 whether the restorations are meeting planned
20.14 goals, identify any problems with the
20.15 implementation of the restorations, and,
20.16 if necessary, give recommendations on
20.17 improving restorations. The evaluation shall
20.18 be focused on improving future restorations.

20.19 (d) Except as otherwise provided in this
20.20 section, all restoration and enhancement
20.21 projects funded with money appropriated in
20.22 this section must be on land permanently
20.23 protected by a conservation easement or
20.24 public ownership or in public waters as
20.25 defined in Minnesota Statutes, section
20.26 103G.005, subdivision 15.

20.27 (e) A recipient of money from an
20.28 appropriation under this section must
20.29 give consideration to contracting with
20.30 Conservation Corps Minnesota for contract
20.31 restoration and enhancement services.

20.32 (f) All conservation easements acquired with
20.33 money appropriated under this section must:

20.34 (1) be perpetual;

- 21.1 (2) specify the parties to an easement in the
21.2 easement;
- 21.3 (3) specify all of the provisions of an
21.4 agreement that are perpetual;
- 21.5 (4) be sent to the Legislative-Citizen
21.6 Commission on Minnesota Resources in an
21.7 electronic format prior to closing;
- 21.8 (5) include a long-term monitoring and
21.9 enforcement plan and funding for monitoring
21.10 and enforcing the easement agreement; and
- 21.11 (6) include requirements in the easement
21.12 document to address specific water quality
21.13 protection activities such as keeping water
21.14 on the landscape, reducing nutrient and
21.15 contaminant loading, protecting groundwater,
21.16 and not permitting artificial hydrological
21.17 modifications.
- 21.18 (g) For any acquisition of land or interest in
21.19 land, a recipient of money appropriated under
21.20 this section must give priority to high quality
21.21 natural resources or conservation lands that
21.22 provide natural buffers to water resources.
- 21.23 (h) For new lands acquired with money
21.24 appropriated under this section, a
21.25 recipient must prepare a restoration and
21.26 management plan in compliance with
21.27 paragraph (b), including sufficient funding
21.28 for implementation unless the work plan
21.29 addresses why a portion of the money is
21.30 not necessary to achieve a high quality
21.31 restoration.
- 21.32 (i) To the extent an appropriation is used to
21.33 acquire an interest in real property, a recipient
21.34 of an appropriation under this section

22.1 must provide to the Legislative-Citizen
22.2 Commission on Minnesota Resources and
22.3 the commissioner of management and budget
22.4 an analysis of increased operation and
22.5 maintenance costs likely to be incurred by
22.6 public entities as a result of the acquisition
22.7 and how these costs are to be paid.

22.8 (j) To ensure public accountability for the
22.9 use of public funds, a recipient of money
22.10 appropriated under this section must provide
22.11 to the Legislative-Citizen Commission on
22.12 Minnesota Resources documentation of the
22.13 selection process used to identify parcels
22.14 acquired and provide documentation of all
22.15 related transaction costs, including but not
22.16 limited to appraisals, legal fees, recording
22.17 fees, commissions, other similar costs,
22.18 and donations. This information must be
22.19 provided for all parties involved in the
22.20 transaction. The recipient must also report
22.21 to the Legislative-Citizen Commission on
22.22 Minnesota Resources any difference between
22.23 the acquisition amount paid to the seller
22.24 and the state-certified or state-reviewed
22.25 appraisal, if a state-certified or state-reviewed
22.26 appraisal was conducted. Acquisition data
22.27 such as appraisals may remain private during
22.28 negotiations but must ultimately be made
22.29 public according to Minnesota Statutes,
22.30 chapter 13. The commission may waive the
22.31 application of this paragraph for specific
22.32 projects.

22.33 (k) A recipient of an appropriation from
22.34 the trust fund under this section must
22.35 acknowledge financial support from
22.36 the Minnesota environment and natural

23.1 resources trust fund in project publications,
 23.2 signage, and other public communications
 23.3 and outreach related to work completed
 23.4 using the appropriation. Acknowledgement
 23.5 may occur, as appropriate, through use of
 23.6 the trust fund logo or inclusion of language
 23.7 attributing support from the trust fund. Each
 23.8 direct recipient of money appropriated in
 23.9 this section, as well as each recipient of a
 23.10 grant awarded pursuant to this section, must
 23.11 satisfy all reporting and other requirements
 23.12 incumbent upon constitutionally dedicated
 23.13 funding recipients as provided in Minnesota
 23.14 Statutes, section 3.303, subdivision 10, and
 23.15 chapter 116P.

23.16 **Subd. 12. Payment Conditions and Capital**
 23.17 **Equipment Expenditures**

23.18 All agreements, grants, or contracts referred
 23.19 to in this section must be administered on
 23.20 a reimbursement basis unless otherwise
 23.21 provided in this section. Notwithstanding
 23.22 Minnesota Statutes, section 16A.41,
 23.23 expenditures made on or after July 1, 2013, or
 23.24 the date the work plan is approved, whichever
 23.25 is later, are eligible for reimbursement unless
 23.26 otherwise provided in this section. Periodic
 23.27 payment must be made upon receiving
 23.28 documentation that the deliverable items
 23.29 articulated in the approved work plan
 23.30 have been achieved, including partial
 23.31 achievements as evidenced by approved
 23.32 progress reports. Reasonable amounts may
 23.33 be advanced to projects to accommodate
 23.34 cash flow needs or match federal money.
 23.35 The advances must be approved as part of
 23.36 the work plan. No expenditures for capital

24.1 equipment are allowed unless expressly
 24.2 authorized in the project work plan.

24.3 **Subd. 13. Purchase of Recycled and Recyclable**
 24.4 **Materials**

24.5 A political subdivision, public or private
 24.6 corporation, or other entity that receives an
 24.7 appropriation under this section must use the
 24.8 appropriation in compliance with Minnesota
 24.9 Statutes, section 16B.121, regarding
 24.10 purchase of recycled, repairable, and durable
 24.11 materials; and Minnesota Statutes, section
 24.12 16B.122, regarding purchase and use of
 24.13 paper stock and printing.

24.14 **Subd. 14. Energy Conservation and**
 24.15 **Sustainable Building Guidelines**

24.16 A recipient to whom an appropriation is made
 24.17 under this section for a capital improvement
 24.18 project must ensure that the project complies
 24.19 with the applicable energy conservation and
 24.20 sustainable building guidelines and standards
 24.21 contained in law, including Minnesota
 24.22 Statutes, sections 16B.325, 216C.19, and
 24.23 216C.20, and rules adopted under those
 24.24 sections. The recipient may use the energy
 24.25 planning, advocacy, and State Energy Office
 24.26 units of the Department of Commerce to
 24.27 obtain information and technical assistance
 24.28 on energy conservation and alternative
 24.29 energy development relating to the planning
 24.30 and construction of the capital improvement
 24.31 project.

24.32 **Subd. 15. Accessibility**

24.33 Structural and nonstructural facilities must
 24.34 meet the design standards in the Americans

25.1 with Disabilities Act (ADA) accessibility
25.2 guidelines.

25.3 **Subd. 16. Easement Monitoring and**
25.4 **Enforcement Requirements**

25.5 Money appropriated under this section for
25.6 easement monitoring and enforcement may
25.7 be spent only on activities included in an
25.8 easement monitoring and enforcement plan
25.9 contained within the work plan. Money
25.10 received for monitoring and enforcement,
25.11 including earnings on the money received,
25.12 shall be kept in a monitoring and enforcement
25.13 fund held by the organization and dedicated
25.14 to monitoring and enforcing conservation
25.15 easements within Minnesota. Within 120
25.16 days after the close of the entity's fiscal
25.17 year, an entity receiving appropriations
25.18 for easement monitoring and enforcement
25.19 must provide an annual financial report
25.20 to the Legislative-Citizen Commission on
25.21 Minnesota Resources or its successor on
25.22 the easement monitoring and enforcement
25.23 fund as specified in the work plan.

25.24 Money appropriated under this section for
25.25 monitoring and enforcement of easements
25.26 and earnings on the money appropriated
25.27 shall revert to the state if: (1) the easement
25.28 transfers to the state; (2) the holder of the
25.29 easement fails to file an annual report and
25.30 then fails to cure that default within 30 days
25.31 of notification of the default by the state;
25.32 or (3) the holder of the easement fails to
25.33 comply with the terms of the monitoring and
25.34 enforcement plan contained within the work
25.35 plan and fails to cure that default within 90
25.36 days of notification of the default by the state.

26.1 **Subd. 17. Carryforward**

26.2 The availability of the appropriations for the
 26.3 following projects are extended to June 30,
 26.4 2014:

26.5 (1) Laws 2010, chapter 362, section 2,
 26.6 subdivision 4, paragraph (h), Conserving
 26.7 Sensitive and Priority Shorelands in Cass
 26.8 County; and

26.9 (2) Laws 2010, chapter 362, section 2,
 26.10 subdivision 5, paragraph (a), Understanding
 26.11 Sources of Aquatic Contaminants of
 26.12 Emerging Concern.

26.13 Sec. 3. Minnesota Statutes 2012, section 116P.15, is amended to read:

26.14 **116P.15 LAND ACQUISITION RESTRICTIONS.**

26.15 Subdivision 1. **Scope.** A recipient of an appropriation from the trust fund or the
 26.16 Minnesota future resources fund who acquires an interest in real property with the
 26.17 appropriation must comply with this section. ~~If the recipient fails to comply with the~~
 26.18 ~~terms of this section, ownership of the interest in real property transfers to the state.~~ For
 26.19 the purposes of this section, "interest in real property" includes, but is not limited to, an
 26.20 easement or fee title to property.

26.21 Subd. 2. **Restrictions; modification procedure.** (a) An interest in real property
 26.22 acquired with an appropriation from the trust fund or the Minnesota future resources fund
 26.23 must be used in perpetuity or for the specific term of an easement interest for the purpose
 26.24 for which the appropriation was made. The ownership of the interest in real property
 26.25 transfers to the state if: (1) the holder of the interest in real property fails to comply with
 26.26 the terms and conditions of the grant agreement or work plan; or (2) restrictions are placed
 26.27 on the land that preclude its use for the intended purpose as specified in the appropriation.

26.28 (b) A recipient of funding who acquires an interest in real property subject to this
 26.29 section may not alter the intended use of the interest in real property or convey any interest
 26.30 in the real property acquired with the appropriation without the prior review and approval
 26.31 of the commission or its successor. The commission shall notify the chairs and ranking
 26.32 minority members of the legislative committees and divisions with jurisdiction over the
 26.33 trust fund or Minnesota future resources fund at least 15 business days before approval
 26.34 under this paragraph. The commission shall establish procedures to review requests from

27.1 recipients to alter the use of or convey an interest in real property. These procedures shall
 27.2 allow for the replacement of the interest in real property with another interest in real
 27.3 property meeting the following criteria:

27.4 (1) the interest ~~is~~ must be at least equal in fair market value, as certified by the
 27.5 commissioner of natural resources, to the interest being replaced; and

27.6 (2) the interest ~~is~~ must be in a reasonably equivalent location, and ~~has~~ have a
 27.7 reasonably equivalent ~~usefulness~~ useful conservation purpose compared to the interest
 27.8 being replaced, taking into consideration all effects from fragmentation of the whole habitat.

27.9 (c) A recipient of funding who acquires an interest in real property under paragraph
 27.10 (a) must separately record a notice of funding restrictions in the appropriate local
 27.11 government office where the conveyance of the interest in real property is filed. The
 27.12 notice of funding agreement must contain:

27.13 (1) a legal description of the interest in real property covered by the funding
 27.14 agreement;

27.15 (2) a reference to the underlying funding agreement;

27.16 (3) a reference to this section; and

27.17 (4) the following statement:

27.18 "This interest in real property shall be administered in accordance with the terms,
 27.19 conditions, and purposes of the grant agreement ~~or work program~~ controlling the
 27.20 acquisition of the property. The interest in real property, or any portion of the interest in
 27.21 real property, shall not be sold, transferred, pledged, or otherwise disposed of or further
 27.22 encumbered without obtaining the prior written approval of the Legislative-Citizen
 27.23 Commission on Minnesota Resources or its successor. The ownership of the interest in
 27.24 real property transfers to the state if: (1) the holder of the interest in real property fails to
 27.25 comply with the terms and conditions of the grant agreement or work program, ownership
 27.26 of the interest in real property shall transfer to this state plan; or (2) restrictions are placed
 27.27 on the land that preclude its use for the intended purpose as specified in the appropriation."

27.28 Sec. 4. Minnesota Statutes 2012, section 116P.16, is amended to read:

27.29 **116P.16 REAL PROPERTY INTEREST REPORT.**

27.30 By December 1 each year, a recipient of an appropriation from the trust fund, that is
 27.31 used for the acquisition of an interest in real property, including, but not limited to, an
 27.32 easement or fee title, must submit annual reports on the status of the real property to
 27.33 the Legislative-Citizen Commission on Minnesota Resources or its successor in a form
 27.34 determined by the commission. The responsibility for reporting under this section may be
 27.35 transferred by the recipient of the appropriation to another person who holds the interest

28.1 in the real property. To complete the transfer of reporting responsibility, the recipient of
28.2 the appropriation must:

28.3 (1) inform the person to whom the responsibility is transferred of that person's
28.4 reporting responsibility;

28.5 (2) inform the person to whom the responsibility is transferred of the property
28.6 restrictions under section 116P.15; and

28.7 (3) provide written notice to the commission of the transfer of reporting responsibility,
28.8 including contact information for the person to whom the responsibility is transferred.

28.9 After the transfer, the person who holds the interest in the real property is responsible for
28.10 reporting requirements under this section.

28.11 **Sec. 5. [116P.18] LANDS IN PUBLIC DOMAIN.**

28.12 Money appropriated from the trust fund must not be used to purchase any land in
28.13 fee title or a permanent conservation easement if the land in question is fully or partially
28.14 owned by the state or a political subdivision of the state or was acquired fully or partially
28.15 with state money, unless:

28.16 (1) the purchase creates additional direct benefit to the protection, conservation,
28.17 preservation, and enhancement of the state's air, water, land, fish, wildlife, and other
28.18 natural resources; and

28.19 (2) the purchase is approved by an affirmative vote of at least 12 members of the
28.20 commission.