

CHAPTER 96--S.F.No. 550

An act relating to natural resources; appropriating money from environment and natural resources trust fund; modifying requirements for receipt of fund money; amending Minnesota Statutes 2016, sections 116P.05, subdivision 2; 116P.08, subdivision 1; 116P.17, subdivision 1.

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

Section 1. **APPROPRIATIONS.**

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 environment and natural resources trust fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2017," "2018," and "2019" used in this act mean that the appropriations listed under them are available for the fiscal year ending June 30, 2017, June 30, 2018, or June 30, 2019, respectively. "The first year" is fiscal year 2018. "The second year" is fiscal year 2019. "The biennium" is fiscal years 2018 and 2019. Appropriations for fiscal year 2017 are available the day following final enactment.

APPROPRIATIONS

Available for the Year

Ending June 30

	<u>2017</u>	<u>2018</u>	<u>2019</u>
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Sec. 2. **MINNESOTA RESOURCES**

Subdivision 1. **Total**

<u>Appropriation</u>	<u>\$</u>	<u>8,428,000</u>	<u>\$</u>	<u>50,733,000</u>	<u>\$</u>	<u>5,089,000</u>
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The amounts that may be spent for each purpose are specified in the following subdivisions. Appropriations for fiscal years 2018 and 2019 are available for two years beginning July 1, 2017, for fiscal year 2018 appropriations and beginning July 1, 2018, for fiscal year 2019 appropriations, unless otherwise stated in the appropriation. Any unencumbered balance remaining in the first year does not cancel and is available for the second year or until the end of the appropriation.

Appropriations for fiscal year 2017 are available until June 30, 2018, unless otherwise stated in the appropriation.

Subd. 2. Definition

"Trust fund" means the Minnesota environment and natural resources trust fund established under the Minnesota Constitution, article XI, section 14.

Subd. 3. Foundational Natural

Resource Data and

Information

2,000,000

7,872,000

89,000

(a) County Geologic Atlases - Continuation

\$2,000,000 in fiscal year 2017 is from the trust fund to the Board of Regents of the University of Minnesota, Minnesota Geological Survey, to continue acceleration of the production of county geologic atlases for the purpose of sustainable management of surface water and groundwater resources. This appropriation is to complete Part A of county geologic atlases, which focuses on the properties and distribution of earth materials in order to define aquifer boundaries and the connection of aquifers to the land surface and surface water resources. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(b) Assessment of Public Benefits of Protecting Source Water

\$320,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to map and quantify source water risks, determine ecosystem service valuation of clean water, and provide analyses of equity and community capacity to improve decisions about the protection and management of groundwater and surface water. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(c) Preserving Minnesota Prairie Plant Diversity - Phase II

\$900,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to continue collecting and preserving

germplasm of plants throughout Minnesota's prairie region, study the microbial effects that promote plant health, analyze local adaptation, and evaluate the adaptive capacity of prairie plant populations. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(d) Minnesota Biological Survey - Continuation

\$2,900,000 the first year is from the trust fund to the commissioner of natural resources for continuation of the Minnesota biological survey to provide a foundation for conserving biological diversity by systematically collecting, interpreting, monitoring, and delivering data on plant and animal distribution and ecology, native plant communities, and functional landscapes. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(e) Minnesota Wildflowers Online Botanical Reference - Phase II

\$270,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with Minnesota Wildflowers Information to continue surveying and imaging plant species and publishing species profiles for a plant identification reference Web site available to the public and land managers. Images acquired and information compiled using these funds are for purposes of public information available on a Web site. If the organization is no longer able to maintain the Web site, the organization must work with the state and the University of Minnesota, Bell Museum of Natural History, to ensure the materials remain publicly available on the Web. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(f) Assessment of Microbes for Improving Wild Rice Restoration

\$334,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota, Natural Resources Research Institute, to evaluate the microbial communities and nutrients associated with wild rice and competing

vegetation, with the goal of enhancing restoration success to increase the abundance of wild rice. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(g) Drainage Records Modernization Cost Share - Phase II

\$540,000 the first year is from the trust fund to the Board of Water and Soil Resources to facilitate statewide modernization of public drainage records under Minnesota Statutes, chapter 103E, and integrate new specifications into existing drainage records modernization guidelines through matching cost-share grants to drainage authorities. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(h) Groundwater Contamination Mapping

\$400,000 the first year is from the trust fund to the commissioner of the Pollution Control Agency to develop a Web-based interactive map of groundwater contamination to improve protection of groundwater resources for drinking water. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(i) Landslide Susceptibility, Mapping, and Management Tools

\$500,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to create landslide susceptibility maps using a landslide inventory and quantitative analysis of LiDAR to provide tools and data for mitigation and restoration to reduce impacts on water resources. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(j) Moose Calf Surveys and Monitoring

\$348,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to assess the use of unmanned aerial vehicles in natural resource monitoring of moose populations and changes in ecosystems.

(k) Cedar Creek Natural Area Wolf Recolonization Assessment

\$398,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota, Cedar Creek Ecosystem Science Reserve, to assess wolf recolonization impacts on wildlife, biodiversity, and natural resources and provide educational opportunities at Cedar Creek Ecosystem Science Reserve. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(l) Effects of Wolf Predation on Beaver, Moose, and Deer

\$293,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with Voyageurs National Park to assess the effects of wolf predation on beaver, moose, and deer in the Border Lakes region. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(m) Mapping Taxonomy and Environmental Toxicology of Minnesota Freshwater Sponges

\$258,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota, Crookston, to determine freshwater sponge distribution, identify and quantify accumulated contaminants, and provide educational research opportunities to undergraduate students. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(n) Pollinator Research and Outreach

\$411,000 the first year and \$89,000 the second year are from the trust fund to the Board of Regents of the University of Minnesota for pollinator research and outreach, including, but not limited to, science-based best practices and the identification and establishment of habitat beneficial to pollinators. This appropriation is available until June 30, 2020, by which time the

project must be completed and final products delivered.

Subd. 4. Water Resources

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3,175,000

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(a) Assessment of Household Chemicals and Herbicides in Rivers and Lakes

\$236,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to quantify environmental levels of household chemical and herbicide ingredients in rivers and lakes and assess their potential to form toxic by-products.

(b) Wastewater Nitrogen Removal Technology to Protect Water Quality

\$450,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to develop a technology for inexpensive low-energy nitrogen removal in wastewater. This appropriation is subject to Minnesota Statutes, section 116P.10. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(c) Rearing Native Mussels for Reintroduction and Expanding Water Quality Awareness

\$591,000 the first year is from the trust fund to the Minnesota Zoological Garden in cooperation with the Department of Natural Resources to accelerate the reintroduction of native mussels into Minnesota rivers and streams through expanded mussel rearing, research, and statewide educational activities promoting mussel conservation and water quality. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(d) Water Quality Monitoring in Southeastern Minnesota Trout Streams

\$500,000 the first year is from the trust fund to the Board of Trustees of Minnesota State Colleges and Universities, Winona State University, to develop a system of biological monitoring for water quality protection of trout streams in southeastern Minnesota. This appropriation is

available until June 30, 2020, by which time the project must be completed and final products delivered.

(e) Reassessing Toxicity of Petrochemical Spills on Groundwater and Surface Waters

\$300,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the University of St. Thomas to reassess long-term effects of oil spills through the analysis of chemical parameters related to oil degradation and evaluate the impacts on aquatic species, groundwater, and surface waters. This appropriation is available until June 30, 2021, by which time the project must be completed and final products delivered.

(f) Assessment of Water Quality for Reuse

\$148,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to collect and analyze pathogen data for evaluation of water reuse in order to maximize water reuse and protect groundwater and surface water quality.

(g) Identification of Chemicals of Emerging Concern in Minnesota Fish

\$400,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the Grand Portage Band of Lake Superior Chippewa to identify chemicals of emerging concern and metals in fish, water, and sediments from approximately 30 water bodies in northeastern Minnesota used for subsistence harvest and recreation. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(h) Techniques for Water Storage Estimates in Central Minnesota

\$250,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to improve water storage estimates in groundwater, soil moisture, streams, lakes, and wetlands through integration of satellite monitoring and ground-based measurements in

central Minnesota. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(i) Assessing Release of Mercury and Sulfur on Aquatic Communities

\$300,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to determine the effects of increased temperatures on the release of mercury and sulfur from Minnesota peatlands to predict impacts on aquatic communities and fish health. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

Subd. 5. Environmental Education

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2,988,000

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(a) Connecting Youth to Minnesota Waterways through Outdoor Classrooms

\$1,200,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with Wilderness Inquiry to provide place-based environmental education science water experiences to approximately 20,000 middle- and high-school students. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(b) Increasing Diversity in Environmental Careers

\$487,000 the first year is from the trust fund to the commissioner of natural resources in cooperation with Conservation Corps Minnesota and Iowa to encourage a diversity of students to pursue careers in environment and natural resources through internships and mentorships with the Department of Natural Resources, the Board of Water and Soil Resources, and the Pollution Control Agency. This appropriation is available until June 30, 2022, by which time the project must be completed and final products delivered.

(c) Interactive Water Resource Programs for Planetariums in Minnesota

\$500,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota, Bell Museum of Natural History, to create an interactive planetarium program on water resources, reaching approximately 400,000 citizens statewide through the Bell Museum Planetarium, St. Paul Public Schools, Mayo High School, Mankato East High School, Southwest Minnesota State University, Minnesota State University Moorhead, and University of Minnesota Duluth. This appropriation is available until June 30, 2022, by which time the project must be completed and final products delivered.

(d) Expanding Raptor Center Online Education

\$270,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota, Raptor Center, to provide environmental education for approximately 15,000 middle-school students and 600 teachers, combining classroom learning and outdoor experiences with technology, scientific investigation of birds, and conservation projects. This appropriation is available until June 30, 2022, by which time the project must be completed and final products delivered.

(e) Local Planning and Implementation Efforts for Bird Habitat

\$280,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the National Audubon Society, Minnesota office, to engage approximately 60 communities and 400,000 citizens in bird habitat improvement through local planning and implementation efforts using the National Audubon Bird City program. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(f) Developing Youth Watershed Stewardship in Northwest Minnesota

\$121,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the Headwaters Science Center to accelerate a multiyear environmental science club for middle-school students focused on water

quality, watershed evaluation, and aquatic invasive species in northwestern Minnesota. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(g) Increasing Residential Environmental Learning Center Opportunities

\$130,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the Audubon Center of the North Woods to provide scholarship opportunities for a minimum of 1,000 students that are not currently served through other residential environmental education learning centers. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

Subd. 6. Aquatic and

Terrestrial Invasive Species

2,700,000

2,021,000

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(a) Aquatic Invasive Species Research Center - Phase II

\$2,700,000 in fiscal year 2017 is from the trust fund to the Board of Regents of the University of Minnesota to support the Minnesota Aquatic Invasive Species Research Center in finding solutions to Minnesota's aquatic invasive species problems through research, control, prevention, and early detection of existing and emerging aquatic invasive species threats. This appropriation is available until June 30, 2021, by which time the project must be completed and final products delivered.

(b) Emerald Ash Borer Biocontrol - Phase III

\$729,000 the first year is from the trust fund to the commissioner of agriculture in cooperation with the Board of Regents of the University of Minnesota to implement biocontrol of emerald ash borer using a newly approved parasitic wasp, assess the impact of the statewide program, and engage citizen volunteers. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(c) Invasive Bighead and Silver Carp and Native Fish Evaluation - Phase II

\$500,000 the first year is from the trust fund to the commissioner of natural resources to continue invasive bighead and silver carp monitoring in the Mississippi River and tributaries through advanced acoustic telemetry and assess food chains to determine how native species might prevent invasive bighead and silver carp establishment. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(d) Adapting Stream Barriers to Remove Common Carp

\$301,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to conduct field tests at existing barrier sites and laboratory experiments to adapt a technology to remove common carp from streams during carp spawning migrations in Minnesota.

(e) Tactical Invasive Plant Management Plan Development

\$296,000 the first year is from the trust fund to the commissioner of agriculture in cooperation with the Board of Regents of the University of Minnesota to develop regional priorities and an interagency action plan for invasive plant management to protect and promote habitat and native species. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(f) Maximize Value of Water Impoundments to Wildlife

\$195,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the National Audubon Society, Minnesota office, to control invasive hybrid cattails in water impoundments to improve habitat quality for migrating and breeding birds. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

**Subd. 7. Air Quality, Climate
Change, and Renewable**

<u>Energy</u>	<u>-0-</u>	<u>3,250,000</u>	<u>-0-</u>
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(a) Extraction of Solar Thermal Energy in Minnesota

\$250,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to develop new solar particle receivers as a low-cost, high-efficiency, and clean technology to absorb, store, and utilize solar thermal energy. This appropriation is subject to Minnesota Statutes, section 116P.10. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(b) Assessment of Urban Air Quality

\$700,000 the first year is from the trust fund to the commissioner of the Pollution Control Agency to set up and operate a network of 250 air pollution sensors at 50 sites to monitor fine particles, ozone, nitrogen oxides, sulfur dioxide, and carbon monoxide in each zip code for the cities of Minneapolis and St. Paul to assess variability of urban air pollution. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(c) Generation, Storage, and Utilization of Solar Energy

\$500,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota, West Central Research and Outreach Center, Morris, to develop and demonstrate an integrated facility to generate electricity, shade dairy cattle, and provide energy storage and utilization from solar technologies at the West Central Research and Outreach Center, Morris. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(d) District Heating with Renewable Biomass at Camp Ripley Training Center

\$1,000,000 the first year is from the trust fund to the commissioner of military affairs to install a

5,000,000-BTU centralized biomass boiler system utilizing the forestry management at Camp Ripley. This appropriation must be matched by at least \$900,000 of nonstate money and must be committed by December 31, 2017. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(e) Geotargeted Distributed Clean Energy Initiative

\$800,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the Center for Energy and Environment. Of this amount, \$600,000 is for analysis of community-distributed clean energy investments as alternatives to utility capital investments for transmission and distribution upgrades to meet forecasted electrical loads, and \$200,000 is to conduct pilot programs using energy efficiency and other distributed energy resources to achieve forecasted electric energy loads in communities. The appropriation for pilot programs is contingent on a \$200,000 match of an equal or greater amount of nonstate money. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

Subd. 8. Methods to Protect or Restore Land, Water, and

<u>Habitat</u>	<u>2,729,000</u>	<u>16,554,000</u>	<u>5,000,000</u>
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(a) Optimizing the Nutrition of Roadside Plants for Pollinators

\$815,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota in cooperation with the Departments of Agriculture, Natural Resources, and Transportation and the Board of Water and Soil Resources to produce site-specific recommendations for roadside plantings in Minnesota to maximize the nutritional health of native bees and monarch butterflies that rely on roadside habitat corridors. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(b) Promoting Conservation Biocontrol of Beneficial Insects

\$400,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota to research integrated pest management strategies, including insecticide alternatives, and overwintering habitat sites to conserve beneficial insects, including bees, butterflies, and predator insects. The integrated pest management strategies will be used to develop best management practices to increase pollinator and beneficial insect diversity and abundance in various restored habitats. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(c) Evaluating the Use of Bison to Restore and Preserve Savanna Habitat

\$388,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota, Cedar Creek Ecosystem Science Reserve, to research combined bison grazing and fire management strategies to restore Minnesota's oak savanna ecosystems. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(d) State Park Pollinator Habitat Restoration

\$672,000 the first year is from the trust fund to the commissioner of natural resources to restore at least 520 acres of monarch butterfly and other native pollinator habitats in at least seven state parks in the Minnesota Prairie Conservation Plan core areas and establish pollinator plantings and interpretive exhibits in at least ten state parks. This appropriation is available until June 30, 2021, by which time the project must be completed and final products delivered.

(e) Enhancing Spawning Habitat Restoration in Minnesota Lakes

\$294,000 the first year is from the trust fund to the Board of Regents of the University of Minnesota, St. Anthony Falls Laboratory, in cooperation with the Department of Natural Resources to enhance efforts to increase natural

reproduction of fish in Minnesota lakes by assessing wave energy impacts on near-shore spawning habitat. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(f) Prescribed-Fire Management for Roadside Prairies

\$345,000 the first year is from the trust fund to the commissioner of transportation to enhance the prescribed-fire program to manage roadsides to protect and increase biodiversity and pollinator habitat. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(g) Minnesota Bee and Beneficial Species Habitat Restoration

\$732,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with Pheasants Forever in cooperation with the University of Minnesota and the Minnesota Honey Producers Association to restore approximately 800 acres of permanently protected land to enhance bee, butterfly, beneficial insect, and grassland bird habitats. This appropriation is available until June 30, 2021, by which time the project must be completed and final products delivered.

(h) Mississippi and Vermillion Rivers Restoration of Prairie, Savanna, and Forest Habitat - Phase X

\$213,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with Friends of the Mississippi River for continued implementation of the Metro Conservation Corridors partnership by improving at least 80 acres of habitat at approximately seven sites along the Mississippi River and Vermillion River corridors. Expenditures are limited to the identified project corridor areas as defined in the work plan. A list of proposed restoration sites must be provided as part of the required work plan. Plant and seed materials must follow the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines. This appropriation is available until June 30, 2020, by

which time the project must be completed and final products delivered.

(i) Community Stewardship to Restore Urban Natural Resources - Phase X

\$524,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with Great River Greening to work with volunteers for continued implementation of the Metro Conservation Corridors partnership to restore approximately 250 acres of forest, prairie, woodland, wetland, and shoreline throughout the greater Twin Cities metropolitan area. Expenditures are limited to the identified project corridor areas as defined in the work plan. A list of proposed restoration sites and evaluations must be provided as part of the required work plan. Plant and seed materials must follow the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(j) Economic Assessment of Precision Conservation and Agriculture

\$400,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with Pheasants Forever to demonstrate a new approach to promote conservation practices utilizing return-on-investment analysis and identifying revenue-negative acres on agricultural land to assist farmers in implementing conservation practices that will provide environmental and economic benefits. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(k) Conservation Reserve Enhancement Program (CREP) Outreach and Implementation

\$6,000,000 the first year is from the trust fund to the Board of Water and Soil Resources to fund staff at soil and water conservation districts to assist landowners participating in the federal Conservation Reserve Enhancement Program. This appropriation is contingent upon receipt of federal funds for implementation. This

appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(l) Conservation Reserve Enhancement Program (CREP)

\$2,729,000 in fiscal year 2017 and \$5,771,000 the first year and \$5,000,000 the second year are from the trust fund to the Board of Water and Soil Resources to acquire permanent conservation easements and restore land under Minnesota Statutes, section 103F.515. This work may be done in cooperation with the federal Conservation Reserve Enhancement Program. This appropriation is available until June 30, 2021, by which time the project must be completed and final products delivered.

Subd. 9. Land Acquisition, Habitat, and Recreation

999,000

13,533,000

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(a) Metropolitan Regional Parks System Land Acquisition

\$1,500,000 the first year is from the trust fund to the Metropolitan Council for grants to acquire approximately 197 acres of land within the approved park boundaries of the metropolitan regional park system. This appropriation may not be used to purchase habitable residential structures. A list of proposed fee title acquisitions must be provided as part of the required work plan. This appropriation must be matched by at least 40 percent of nonstate money that must be committed by December 31, 2017. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(b) Scientific and Natural Areas Acquisition and Restoration, Citizen Science, and Engagement

\$2,500,000 the first year is from the trust fund to the commissioner of natural resources to acquire at least 250 acres of land with high-quality native plant communities and rare features to be established as scientific and natural areas as provided in Minnesota Statutes, section 86A.05, subdivision 5, restore and improve at least 1,000 acres of scientific and natural areas, and provide

technical assistance and outreach, including site steward events. At least one-third of the appropriation must be spent on restoration activities. A list of proposed acquisitions and restorations must be provided as part of the required work plan. Land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards, as determined by the commissioner of natural resources. When feasible, consideration must be given to accommodate trails on lands acquired. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(c) Minnesota State Parks and State Trails Land Acquisition

\$1,500,000 the first year is from the trust fund to the commissioner of natural resources to acquire approximately 373 acres from willing sellers for authorized state trails and critical parcels within the statutory boundaries of state parks. State park land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards, as determined by the commissioner of natural resources. A list of proposed acquisitions must be provided as part of the required work plan. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(d) Minnesota State Trails Acquisition, Development, and Enhancement

\$999,000 in fiscal year 2017 and \$39,000 the first year are from the trust fund to the commissioner of natural resources for state trail acquisition, development, and enhancement in southern Minnesota. A proposed list of trail projects on authorized state trails must be provided as part of the required work plan. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(e) Native Prairie Stewardship and Prairie Bank Easement Acquisition

\$2,675,000 the first year is from the trust fund to the commissioner of natural resources to acquire native prairie bank easements in accordance with Minnesota Statutes, section 84.96, on approximately 335 acres, prepare baseline property assessments, restore and enhance at least 570 acres of native prairie sites, and provide technical assistance to landowners. Of this amount, up to \$132,000 may be deposited in a conservation easement stewardship account. Deposits into the conservation easement stewardship account must be made upon closing on conservation easements or at a time otherwise approved in the work plan. A list of proposed easement acquisitions must be provided as part of the required work plan. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(f) Leech Lake Acquisition

\$1,500,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the Leech Lake Band of Ojibwe to acquire approximately 45 acres, including 0.67 miles of shoreline of high-quality aquatic and wildlife habitat at the historic meeting place between Henry Schoolcraft and the Anishinabe people. The land must be open to public use including hunting and fishing. The band must provide a commitment that land will not be put in a federal trust through the Bureau of Indian Affairs.

(g) Mesabi Trail Development

\$2,269,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the St. Louis and Lake Counties Regional Railroad Authority for engineering and constructing segments of the Mesabi Trail. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(h) Tower Trailhead Boat Landing and Habitat Improvement - Phase II

\$600,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the city of Tower to construct a

trailhead and boat landing and restore vegetative habitat on city-owned property. Plant and seed materials must follow the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines. This appropriation is available until June 30, 2020, by which time the project must be completed and final products delivered.

(i) Land Acquisition for Voyageurs National Park Crane Lake Visitors Center

\$950,000 the first year is from the trust fund to the commissioner of natural resources for an agreement with the town of Crane Lake, in partnership with Voyageurs National Park and the Department of Natural Resources, to acquire approximately 30 acres to be used for a visitor center and campground. Income generated by the campground may be used to support the facility.

Subd. 10. Administration and Contract Agreement Reimbursement

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1,340,000

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(a) Contract Agreement Reimbursement

\$135,000 the first year is from the trust fund to the commissioner of natural resources, at the direction of the Legislative-Citizen Commission on Minnesota Resources, for expenses incurred for contract agreement reimbursement for the agreements specified in this section. The commissioner shall provide documentation to the Legislative-Citizen Commission on Minnesota Resources on the expenditure of these funds.

(b) Legislative-Citizen Commission on Minnesota Resources (LCCMR) Administration

\$1,200,000 the first year is from the trust fund to the Legislative-Citizen Commission on Minnesota Resources for administration in fiscal years 2018 and 2019 as provided in Minnesota Statutes, section 116P.09, subdivision 5.

(c) Legislative Coordinating Commission Legacy Web site

\$5,000 the first year is from the trust fund to the Legislative Coordinating Commission for the Web

site required in Minnesota Statutes, section 3.303, subdivision 10.

Subd. 11. Availability of Appropriations

Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the work plan approved by the Legislative-Citizen Commission on Minnesota Resources. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Costs that are directly related to and necessary for an appropriation, including financial services, human resources, information services, rent, and utilities, are eligible only if the costs can be clearly justified and individually documented specific to the appropriation's purpose and would not be generated by the recipient but for receipt of the appropriation. No broad allocations for costs in either dollars or percentages are allowed. Unless otherwise provided, the amounts in this section are available until June 30, 2019, when projects must be completed and final products delivered. For acquisition of real property, the appropriations in this section are available for an additional fiscal year if a binding contract for acquisition of the real property is entered into before the expiration date of the appropriation. If a project receives a federal grant, the time period of the appropriation is extended to equal the federal grant period.

Subd. 12. Data Availability Requirements

Data collected by the projects funded under this section must conform to guidelines and standards adopted by MN.IT Services. Spatial data must also conform to additional guidelines and standards designed to support data coordination and distribution that have been published by the Minnesota Geospatial Information Office. Descriptions of spatial data must be prepared as specified in the state's geographic metadata guideline and must be submitted to the Minnesota Geospatial Information Office. All data must be accessible and free to the public unless made private under the Data Practices Act, Minnesota

Statutes, chapter 13. To the extent practicable, summary data and results of projects funded under this section should be readily accessible on the Internet and identified as having received funding from the environment and natural resources trust fund.

Subd. 13. Project Requirements

(a) As a condition of accepting an appropriation under this section, an agency or entity receiving an appropriation or a party to an agreement from an appropriation must comply with paragraphs (b) to (l) and Minnesota Statutes, chapter 116P, and must submit a work plan and annual or semiannual progress reports in the form determined by the Legislative-Citizen Commission on Minnesota Resources for any project funded in whole or in part with funds from the appropriation. Modifications to the approved work plan and budget expenditures must be made through the amendment process established by the Legislative-Citizen Commission on Minnesota Resources.

(b) A recipient of money appropriated in this section that conducts a restoration using funds appropriated in this section must use native plant species according to the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines and include an appropriate diversity of native species selected to provide habitat for pollinators throughout the growing season as required under Minnesota Statutes, section 84.973.

(c) For all restorations conducted with money appropriated under this section, a recipient must prepare an ecological restoration and management plan that, to the degree practicable, is consistent with the highest quality conservation and ecological goals for the restoration site. Consideration should be given to soil, geology, topography, and other relevant factors that would provide the best chance for long-term success and durability of the restoration project. The plan must include the proposed timetable for implementing the restoration, including site preparation, establishment of diverse plant species, maintenance, and additional enhancement to

establish the restoration; identify long-term maintenance and management needs of the restoration and how the maintenance, management, and enhancement will be financed; and take advantage of the best available science and include innovative techniques to achieve the best restoration.

(d) An entity receiving an appropriation in this section for restoration activities must provide an initial restoration evaluation at the completion of the appropriation and an evaluation three years beyond the completion of the expenditure. Restorations must be evaluated relative to the stated goals and standards in the restoration plan, current science, and, when applicable, the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines. The evaluation must determine whether the restorations are meeting planned goals, identify any problems with the implementation of the restorations, and, if necessary, give recommendations on improving restorations. The evaluation must be focused on improving future restorations.

(e) All restoration and enhancement projects funded with money appropriated in this section must be on land permanently protected by a conservation easement or public ownership.

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

(g) All conservation easements acquired with money appropriated under this section must:

(1) be permanent;

(2) specify the parties to an easement in the easement;

(3) specify all of the provisions of an agreement that are permanent;

(4) be sent to the Legislative-Citizen Commission on Minnesota Resources in an electronic format at least ten business days before closing;

(5) include a long-term monitoring and enforcement plan and funding for monitoring and enforcing the easement agreement; and

(6) include requirements in the easement document to address specific groundwater and surface water quality protection activities such as keeping water on the landscape, reducing nutrient and contaminant loading, protecting groundwater, and not permitting artificial hydrological modifications.

(h) For any acquisition of lands or interest in lands, a recipient of money appropriated under this section must not agree to pay more than 100 percent of the appraised value for a parcel of land using this money to complete the purchase, in part or in whole, except that up to ten percent above the appraised value may be allowed to complete the purchase, in part or in whole, using this money if permission is received in advance of the purchase from the Legislative-Citizen Commission on Minnesota Resources.

(i) For any acquisition of land or interest in land, a recipient of money appropriated under this section must give priority to high-quality natural resources or conservation lands that provide natural buffers to water resources.

(j) For new lands acquired with money appropriated under this section, a recipient must prepare an ecological restoration and management plan in compliance with paragraph (c), including sufficient funding for implementation unless the work plan addresses why a portion of the money is not necessary to achieve a high-quality restoration.

(k) To ensure public accountability for the use of public funds, within 60 days of the transaction, a recipient of money appropriated under this section must provide to the Legislative-Citizen Commission on Minnesota Resources documentation of the selection process used to identify parcels acquired and provide documentation of all related transaction costs, including but not limited to appraisals, legal fees, recording fees, commissions, other similar costs, and donations. This information must be provided

for all parties involved in the transaction. The recipient must also report to the Legislative-Citizen Commission on Minnesota Resources any difference between the acquisition amount paid to the seller and the state-certified or state-reviewed appraisal, if a state-certified or state-reviewed appraisal was conducted.

(l) A recipient of an appropriation from the trust fund under this section must acknowledge financial support from the environment and natural resources trust fund in project publications, signage, and other public communications and outreach related to work completed using the appropriation. Acknowledgment may occur, as appropriate, through use of the trust fund logo or inclusion of language attributing support from the trust fund. Each direct recipient of money appropriated in this section, as well as each recipient of a grant awarded pursuant to this section, must satisfy all reporting and other requirements incumbent upon constitutionally dedicated funding recipients as provided in Minnesota Statutes, section 3.303, subdivision 10, and chapter 116P.

Subd. 14. Payment Conditions and Capital Equipment Expenditures

(a) All agreements, grants, or contracts referred to in this section must be administered on a reimbursement basis unless otherwise provided in this section. Notwithstanding Minnesota Statutes, section 16A.41, expenditures made on or after July 1, 2017, or the date the work plan is approved, whichever is later, are eligible for reimbursement unless otherwise provided in this section. Periodic payments must be made upon receiving documentation that the deliverable items articulated in the approved work plan have been achieved, including partial achievements as evidenced by approved progress reports. Reasonable amounts may be advanced to projects to accommodate cash flow needs or match federal money. The advances must be approved as part of the work plan. No expenditures for capital equipment are allowed unless expressly authorized in the project work plan.

(b) Single-source contracts as specified in the approved work plan are allowed.

Subd. 15. Purchase of Recycled and Recyclable Materials

A political subdivision, public or private corporation, or other entity that receives an appropriation under this section must use the appropriation in compliance with Minnesota Statutes, section 16C.0725, regarding purchase of recycled, repairable, and durable materials and Minnesota Statutes, section 16C.073, regarding purchase and use of paper stock and printing.

Subd. 16. Energy Conservation and Sustainable Building Guidelines

A recipient to whom an appropriation is made under this section for a capital improvement project must ensure that the project complies with the applicable energy conservation and sustainable building guidelines and standards contained in law, including Minnesota Statutes, sections 16B.325, 216C.19, and 216C.20, and rules adopted under those sections. The recipient may use the energy planning, advocacy, and State Energy Office units of the Department of Commerce to obtain information and technical assistance on energy conservation and alternative energy development relating to planning and constructing the capital improvement project.

Subd. 17. Accessibility

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

Subd. 18. Carryforward; Extension

(a) The availability of the appropriations for the following projects are extended to June 30, 2018:

(1) Laws 2014, chapter 226, section 2, subdivision 3, paragraph (d), Evaluation of Wastewater Nitrogen and Estrogen Treatment Options;

(2) Laws 2014, chapter 226, section 2, subdivision 4, paragraph (b), Bioacoustics to Detect, Deter, and Eliminate Silver Carp;

(3) Laws 2014, chapter 226, section 2, subdivision 4, paragraph (f), Brown Marmorated Stink Bug Monitoring and Bio-Control Evaluation;

(4) Laws 2014, chapter 226, section 2, subdivision 6, paragraph (h), Nutrient Capture through Water Management and Biomass Harvesting;

(5) Laws 2014, chapter 226, section 2, subdivision 7, paragraph (b), Metropolitan Regional Park System Acquisition;

(6) Laws 2015, chapter 76, section 2, subdivision 3, paragraph (l), Genetic and Camera Techniques to Estimate Carnivore Populations;

(7) Laws 2015, chapter 76, section 2, subdivision 7, paragraph (c), Building Deconstruction to Reduce Greenhouse Gas Emissions and Solid Waste; and

(8) Laws 2015, chapter 76, section 2, subdivision 10, Emerging Issues Account.

(b) The availability of the appropriations for the following projects are extended to June 30, 2019:

(1) Laws 2014, chapter 226, section 2, subdivision 10, paragraph (c), Legislative-Citizen Commission on Minnesota Resources (LCCMR) as extended by Laws 2016, chapter 186, section 2, subdivision 18, clause (8);

(2) Laws 2015, chapter 76, section 2, subdivision 7, paragraph (a), Renewable and Sustainable Fertilizers Produced Locally;

(3) Laws 2015, chapter 76, section 2, subdivision 8, paragraph (h), Improving Community Forests Through Citizen Engagement; and

(4) Laws 2016, chapter 186, section 2, subdivision 9, paragraph (b), Minnesota Point Pine Forest Scientific and Natural Area Acquisition.

Subd. 19. Fiscal Year 2019 Recommendations

(a) For fiscal year 2019, the commission shall consider recommending loans from the corpus of the trust fund to statutory and home rule charter cities and towns with a population less than 5,000 as provided in the Minnesota Constitution, article XI, section 14. The commission shall work with

the Public Facilities Authority in developing its recommendations. The commission shall include in its recommendations an analysis of using trust fund allocations for grants to the same cities and towns, including any necessary statutory changes.

(b) Any deadlines established by the Legislative-Citizen Commission on Minnesota Resources for submission of proposals for the commission's fiscal year 2019 funding recommendations are waived until July 15, 2017, for proposals authorized under this subdivision and proposals that the commission recommended for fiscal year 2018 but that did not receive funding.

Sec. 3. Minnesota Statutes 2016, section 116P.05, subdivision 2, is amended to read:

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

(b) It is a condition of acceptance of the appropriations made from the Minnesota environment and natural resources trust fund, and oil overcharge money under section 4.071, subdivision 2, that the agency or entity receiving the appropriation must submit a work plan and annual or semiannual progress reports in the form determined by the Legislative-Citizen Commission on Minnesota Resources, and comply with applicable reporting requirements under section 116P.16. None of the money provided may be spent unless the commission has approved the pertinent work plan. Modifications to the approved work plan and budget expenditures shall be made through the amendment process established by the commission. The commission shall ensure that the expenditures and outcomes described in the work plan for appropriations funded by the environment and natural resources trust fund are met.

(c) The peer review procedures created under section 116P.08 must also be used to review, comment, and report to the commission on research proposals applying for an appropriation from the oil overcharge money under section 4.071, subdivision 2.

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

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

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

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

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

(4) provide for project outcome evaluation;

- (5) keep the grant application, administration, and review process as simple as possible; and
- (6) define and emphasize the leveraging of additional sources of money that project proposers should consider when making trust fund proposals.

Sec. 4. Minnesota Statutes 2016, section 116P.08, subdivision 1, is amended to read:

Subdivision 1. **Expenditures.** (a) Money in the trust fund may be spent only for:

- (1) the reinvest in Minnesota program as provided in section 84.95, subdivision 2;
- (2) research that contributes to increasing the effectiveness of protecting or managing the state's environment or natural resources;
- (3) collection and analysis of information that assists in developing the state's environmental and natural resources policies;
- (4) enhancement of public education, awareness, and understanding necessary for the protection, conservation, restoration, and enhancement of air, land, water, forests, fish, wildlife, and other natural resources;
- (5) capital projects for the preservation and protection of unique natural resources;
- (6) activities that preserve or enhance fish, wildlife, land, air, water, and other natural resources that otherwise may be substantially impaired or destroyed in any area of the state;
- (7) administrative and investment expenses incurred by the State Board of Investment in investing deposits to the trust fund; and
- (8) administrative expenses subject to the limits in section 116P.09.

(b) In making recommendations for expenditures from the trust fund, the commission shall give priority to funding programs and projects under paragraph (a), clauses (1) and (6). Any requests for proposals issued by the commission shall clearly indicate these priorities.

Sec. 5. Minnesota Statutes 2016, section 116P.17, subdivision 1, is amended to read:

Subdivision 1. **Commissioner approval.** (a) A recipient of an appropriation from the trust fund who acquires an interest in real property must receive written approval from the commissioner of natural resources prior to the acquisition, if the interest is acquired in whole or in part with the appropriation. A recipient must request the commissioner's approval at least ten business days before the proposed acquisition. When a recipient requests approval under this subdivision, the recipient must simultaneously submit the same information to the commission. Conservation easements to be held by the Board of Water and Soil Resources, acquisitions of land in the metropolitan regional recreation open space systems as defined under section 473.351, subdivision 1, with appropriations to the Metropolitan Council, and acquisitions specifically identified in appropriation laws are not subject to commissioner approval under this section.

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

- (1) is identified as a high priority by the commissioner and meets the objectives and criteria identified in the applicable acquisition plan for the intended management status of the property; or

(2) is otherwise identified by the commissioner as a priority for state financing.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor May 26, 2017

Signed by the governor May 30, 2017, 4:24 p.m.