

Lessard-Sams Outdoor Heritage Council

MEMO: **Agenda Item #8**

DATE: December 3, 2015

SUBJECT: Draft Language for 2016 Legislative Appropriation Recommendation Bill

PRESENTER: Mark Johnson

Suggested Procedure and Motion:

Procedure - With a motion to approve the recommendation appropriation bill language before the council, members may discuss the language, question project managers, and generally discuss the recommendation package along with offering and voting on any amendments to the language. An affirmative vote of at least nine members of the council is necessary to forward the appropriation recommendations bill to legislative leadership.

Motion - Motion to approve the recommended appropriation bill as presented/amended and forward to legislative leadership for consideration during the 2016 legislative session.

No motion by the Council, or affirmative votes of fewer than nine (9) council members will result in no action and no forwarding of the recommendations at this time.

MN Statute 97A.056,

Subd. 3(a) states, "...The Council's recommendations shall be submitted no later than January 15 of each year..."

Subd. 3(e) states, "Recommendations of the council, including approval of recommendations for the outdoor heritage fund, require an affirmative vote of at least nine members of the council."

Background:

On October 6, 2015, the council made its appropriation recommendations for fiscal year 2017 and directed project managers to draft accomplishment plans that reflected those funding recommendations. The council reviewed and, by a simple majority vote, progressed the draft accomplishment plans at the November 5, 2015 meeting. Staff was directed to proceed with drafting the bill language.

The draft appropriations recommendations bill before the council reflects the program accomplishments anticipated with Outdoor Heritage Fund dollars as put forth by the council to date. Input for this draft was solicited and received from House and Senate staff and project managers.

Attachments: Draft bill

Section 1. Outdoor Heritage Appropriation

The sums shown in the columns marked “Appropriations” are appropriated to the agencies and for the purposes specified in this act. The appropriations are from the outdoor heritage fund for the fiscal year indicated for each purpose. The figures “2016” and “2017” used in this article mean that the appropriations listed under the figure are available for the fiscal year ending June 30, 2016, and June 30, 2017, respectively. The “first year” is fiscal year 2016. The “second year” is fiscal year 2017. The “biennium” is fiscal years 2016 and 2017, respectively. The appropriations in this act are one-time.

Section 2. Outdoor Heritage Fund

Subd. 1. Total Appropriation **\$111,809,000**

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

Subd. 2. Prairies **\$31,000,000**

(a) DNR Wildlife Management Area and Scientific and Natural Area Acquisition, Ph. VIII

\$3,250,000 in the second year is to the commissioner of natural resources to acquire land in fee for wildlife management purposes under Minnesota Statutes 86A.05, subdivision 8 and to acquire land in fee for scientific and natural area purposes under Minnesota Statutes, sections 86A.05, subdivision 5. Subject to evaluation criteria in Minnesota Rules 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96 or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(b) Accelerating the Wildlife Management Area Acquisition, Ph. VIII

\$5,229,000 in the second year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire in fee and restore lands for wildlife management area purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96 or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(c) Martin County/Fox Lake DNR WMA Acquisition

\$1,000,000 in the second year is to the commissioner of natural resources for an agreement with Fox Lake Conservation League, Inc. to acquire land in fee and restore strategic prairie grassland, wetland, and other wildlife habitat for wildlife management area purposes under Minnesota Statutes 86A.05, subdivision 8. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

(d) Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition, Ph. VII

\$2,754,000 in the second year is to the commissioner of natural resources for an agreement with The Nature Conservancy in cooperation with the United States Fish and Wildlife Service to acquire land in fee or permanent conservation easements and restore lands within the Northern Tallgrass Prairie Habitat Preservation Area in western Minnesota for addition to the Northern Tallgrass Prairie National Wildlife Refuge. Subject to evaluation criteria in Minnesota Rules 6136.0900, priority must be given to acquisitions of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96 or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan and must be consistent with the priorities in the Minnesota Prairie Conservation Plan.

(e) Cannon River Headwaters Habitat Complex, Ph. VI

\$583,000 in the second year is to the commissioner of natural resources for an agreement with The Trust for Public Land to acquire land in fee and restore lands in the Cannon River watershed for wildlife management purposes under Minnesota Statutes 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96 or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(f) Accelerated Native Prairie Bank Protection, Ph. V

\$2,541,000 in the second year is to the commissioner of natural resources to implement the Minnesota Prairie Conservation Plan through the acquisition of permanent conservation easements to protect and restore native prairie. Of this amount, up to \$120,000 is for establishing monitoring and enforcement funds as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Subject to evaluation criteria in Minnesota Rules 6136.0900, priority must be given to acquisitions of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96 or lands adjacent to protected native prairie. A list of permanent conservation easements must be provided as part of the final report.

(g) Reinvest In Minnesota (RIM) Buffers for Wildlife and Water, Ph. VI

\$6,708,000 in the second year is to the Board of Water and Soil Resources to acquire permanent conservation easements and restore habitat under Minnesota Statutes, section 103F.515 in order to protect, restore, and enhance habitat by expanding the clean water fund riparian buffer program for at least equal wildlife benefits from buffers on private land. Of this amount, up to \$130,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(h) Prairie Chicken Habitat Partnership of the Southern Red River Valley, Ph. II

\$2,269,000 in the second year is to the commissioner of natural resources for an agreement with Pheasants Forever in cooperation with the Minnesota Prairie Chicken Society to acquire land in fee, and restore and enhance lands in the southern Red River Valley for wildlife management purposes under Minnesota Statutes 86A.05, subdivision 8 or to be designated and managed as waterfowl production areas in Minnesota, in cooperation with the United States Fish and Wildlife Service. Subject to evaluation criteria in Minnesota Rules 6136.0900, priority must be given to acquisitions of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96 or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(i) Grassland Conservation Partnership, Ph. II

\$1,475,000 in the second year is to the commissioner of natural resources for an agreement with The Conservation Fund, in cooperation with Minnesota Land Trust, to acquire permanent conservation easements and restore high priority grassland, prairie and wetland habitats as follows: \$64,000 to The Conservation Fund; \$1,411,000 to the Minnesota Land Trust, of which up to \$100,000 is to Minnesota Land Trust for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Subject to evaluation criteria in Minnesota Rules 6136.0900, priority must be given to acquisitions of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96 or lands adjacent to protected native prairie. A list of proposed acquisitions must be provided as part of the required accomplishment plan and must be consistent with the priorities in the Minnesota Prairie Conservation Plan.

(j) Accelerated Prairie Restoration and Enhancement on DNR Lands, Ph. VIII

\$3,983,000 in the second year is to the commissioner of natural resources to accelerate the restoration and enhancement of prairies, grasslands, and savannas on wildlife management areas, scientific and natural areas, Native Prairie Bank land, and bluff prairies on State Forest land in southeastern

Minnesota. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(k) Anoka Sandplain Habitat Restoration and Enhancement, Ph. IV

\$1,208,000 in the second year is to the commissioner of natural resources for agreements to restore and enhance wildlife habitat on public lands in Anoka, Isanti, Morrison, Sherburne, and Todd Counties as follows: \$93,000 is to Anoka Conservation District; \$25,000 is to Isanti County Parks Department; \$813,000 is to Great River Greening; and \$277,000 is to National Wild Turkey Foundation. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

Subd. 3. Forests

\$20,341,000

(a) Young Forest Conservation, Ph. II

\$1,369,000 in the second year is to the commissioner of natural resources for an agreement with the American Bird Conservancy to restore publicly owned, permanently protected forest lands for wildlife management purposes. A list of proposed forest land restorations must be provided as part of the required accomplishment plan.

(b) Jack Pine Forest/Crow Wing River Watershed Habitat Acquisition

\$5,532,000 in the second year is to the commissioner of natural resources for an agreement with the Minnesota Deer Hunters Association, to acquire in fee and restore and enhance forest habitat lands in Cass, Hubbard and Wadena Counties. Annual income statements and balance sheets for income and expenses from land acquired in fee with this appropriation and not transferred to State of Minnesota or local government unit ownership must be submitted to the Lessard-Sams Outdoor Heritage Council no later than 180 days following the close of the Minnesota Deer Hunters Association's fiscal year. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(c) Camp Ripley Partnership, Ph. VI

\$1,500,000 in the second year is to the Board of Water and Soil Resources, in cooperation with the Morrison County Soil and Water Conservation District, to acquire permanent conservation easements and restore forest wildlife habitat within the boundaries of the Minnesota National Guard Camp Ripley Compatible Use Buffer. Of this amount, up to \$72,000 is to the Board of Water and Soil Resources for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(d) Southeast Minnesota Protection and Restoration, Ph. IV

\$5,000,000 in the second year is to the commissioner of natural resources for an agreement with The Nature Conservancy, in cooperation with The Trust for Public Land and Minnesota Land Trust, to: acquire land in fee for wildlife management purposes under Minnesota Statutes 86A.05, subdivision 8; to acquire land in fee for scientific and natural areas under Minnesota Statutes, sections 86A.05, subdivision 5; to acquire land in fee for state forest purposes under 86A.05, subdivision 7; to acquire permanent conservation easements; and to restore and enhance prairie, grasslands, forest, and savanna as follows: \$1,506,000 to The Nature Conservancy; \$2,930,000 to The Trust for Public Land; \$564,000 to Minnesota Land Trust, of which up to \$80,000 is to Minnesota Land Trust for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Annual income statements and balance sheets for income and expenses from land acquired in fee with this appropriation and not transferred to the State of Minnesota or local government unit must be submitted to the Lessard-Sams Outdoor Heritage Council. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(e) Minnesota Forests for the Future, Ph. IV

\$1,840,000 the second year is to the commissioner of natural resources to acquire forest, wetland, and shoreline habitat through working forest permanent conservation easements under the Minnesota forests for the future program pursuant to Minnesota Statutes, section 84.66. A conservation easement acquired with money appropriated under this paragraph must comply with subdivision 13. The accomplishment plan must include an easement monitoring and enforcement plan. Of this amount, up to \$25,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject Minnesota Statutes, section 97A.056, subdivision 17.. A list of permanent conservation easements must be provided as part of the final report.

(f) Protect Key Forest Lands in Cass County, Ph. VII

\$500,000 in the second year is to the commissioner of natural resources for an agreement with Cass County to acquire land in fee in Cass County for forest wildlife habitat or to prevent forest fragmentation. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(g) State Forest Acquisitions, Ph. III

\$1,000,000 in the second year is to the commissioner of natural resources to acquire lands in fee for wildlife habitat purposes, under Minnesota Statutes, section 86A.05, subdivision 7. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(h) Forest Habitat Protection Revolving Account

\$1,000,000 in the second year is to the commissioner of natural resources to acquire lands in fee and through permanent conservation easements for wildlife habitat purposes, forest consolidation and connective corridor purposes, or to prevent forest fragmentation, under Minnesota Statutes, section 86A.05, subdivision 7. Proceeds gained from any subsequent sale of lands acquired with funds from this appropriation must be used for the purposes of this appropriation. Any proceeds remaining unused upon close of the appropriation availability must be returned to the Outdoor Heritage Fund. A list of proposed land acquisitions must be provided as part of the required accomplishment plan. Unless otherwise provided, the amounts in this appropriation are available until June 30, 2022. For acquisition of real property, this appropriation is available until June 30, 2023, if a binding agreement with a landowner or purchase agreement is entered into by June 30, 2022, and closed no later than June 30, 2023. Of this amount, up to \$50,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(i) Protecting Forest Wildlife Habitat in the Wild Rice River Watershed

\$2,188,000 in the second year is to the commissioner of natural resources for an agreement with the White Earth Nation to acquire lands in Clearwater County in fee to be managed for wildlife habitat purposes. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(j) Floodplain Forest Enhancement – Mississippi River, Ph. II

\$412,000 is to the commissioner of natural resources for an agreement with National Audubon Society to restore and enhance floodplain forest habitat for wildlife on public lands along the Mississippi River. A list of restorations and enhancements must be provided as part of the required accomplishment plan.

Subd. 4. Wetlands

\$31,055,000

(a) Accelerating the Waterfowl Production Area Acquisition, Ph. VIII

\$5,650,000 in the second year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire in fee and restore and enhance wetlands and grasslands to be designated and managed as waterfowl production areas in Minnesota, in cooperation with the United States Fish

and Wildlife Service. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(b) Shallow Lake and Wetland Protection Program, Ph. V

\$5,801,000 in the second year is to the commissioner of natural resources for an agreement with Ducks Unlimited to acquire in fee and restore prairie lands, wetlands and land buffering shallow lakes for wildlife management purposes under Minnesota Statutes 86A.05, subdivision 8. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

(c) RIM Wetlands Partnership, Ph. VII

\$13,808,000 in the second year is to the Board of Water and Soil Resources to acquire lands in permanent conservation easements and to restore wetlands and native grassland habitat under Minnesota Statutes, section 103F.515. Of this amount, up to \$195,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(d) Wetland Habitat Protection Program, Ph. II

\$1,629,000 in the second year is to the commissioner of natural resources for an agreement with the Minnesota Land Trust to acquire permanent conservation easements in high-priority wetland habitat complexes in the prairie and forest/prairie transition regions. Of this amount, up to \$180,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed easement acquisitions must be provided as part of the final report.

(e) Accelerated Shallow Lakes and Wetlands Enhancement, Ph. VIII

\$2,167,000 in the second year is to the commissioner of natural resources to enhance and restore shallow lakes and wetland habitat statewide. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(f) Marsh Lake, Ph. II

\$2,000,000 in the second year is to the commissioner of natural resources to modify the dam at Marsh Lake for improved habitat management and to return the historic outlet of the Pomme de Terre River to Lac Qui Parle.

Subd. 5. Habitats

\$29,138,000

(a) DNR Aquatic Habitat Protection, Ph. VIII

\$1,578,000 in the second year is to the commissioner of natural resources to acquire interests in land in fee and permanent conservation easement for aquatic management purposes under Minnesota Statutes sections 86A.05, subdivision 14 and 97C.02, and to restore and enhance aquatic and adjacent upland habitat. Of this amount, up to \$153,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions, conservation easements, restorations and enhancements must be provided as part of the required accomplishment plan.

(b) Metro Big Rivers Habitat, Ph. VII

\$4,000,000 in the second year is to the commissioner of natural resources for agreements to acquire land in fee and in permanent conservation easement and to restore and enhance natural systems associated with the Mississippi, Minnesota, and St. Croix Rivers within the Metro Area as follows: \$500,000 to the Minnesota Valley National Wildlife Refuge Trust, Inc.; \$430,000 to the Friends of the Mississippi River; \$1,170,000 to the Great River Greening; \$800,000 to the Trust for Public Land; and \$1,100,000 to the Minnesota Land Trust, of which up to \$60,000 is to the Minnesota Land Trust for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

(c) Mississippi Headwaters Habitat Corridor Partnership, Ph. II

\$2,105,000 in the second year is to the commissioner of natural resources for agreements to acquire lands in fee in the Mississippi Headwaters and for agreements as follows: \$76,000 to Mississippi Headwaters Board; and \$2,029,000 to The Trust for Public Land. \$1,045,000 in the second year is to the Board of Water and Soil Resources to acquire lands in permanent conservation easements and to restore wildlife habitat. Of this amount, up to \$78,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed acquisitions must be included as part of the required accomplishment plan.

(d) Fisheries Habitat Protection on Strategic North Central Minnesota Lakes, Ph. II

\$1,425,000 in the second year is to the commissioner of natural resources for agreements with the Leech Lake Area Watershed Foundation and Minnesota Land Trust to acquire land in fee and permanent conservation easements to sustain healthy fish habitat on cold water lakes in Aitkin, Cass, Crow Wing, and Hubbard Counties as follows: \$480,000 to Leech Lake Area Watershed Foundation; and \$945,000 to Minnesota Land Trust, of which up to \$180,000 to Minnesota Land Trust is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(e) Minnesota Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration, Ph. VIII

\$1,975,000 in the second year is to the commissioner of natural resources for an agreement with Minnesota Trout Unlimited to restore or enhance habitat for trout and other species in and along cold water rivers, lakes, and streams in Minnesota. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

(f) DNR Stream Habitat

\$2,074,000 in the second year is to the commissioner of natural resources to restore and enhance habitat to facilitate fish passage, degraded streams, and critical aquatic species habitat. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(g) St. Louis River Restoration Initiative, Ph. III

\$2,707,000 in the second year is to the commissioner of natural resources to restore aquatic habitats in the St. Louis River estuary. A list of proposed restorations must be provided as part of the required accomplishment plan.

(h) Sand Hill River Fish Passage, Ph. II

\$828,000 in the second year is to the commissioner of natural resources for an agreement with the Sand Hill River Watershed District, in cooperation with the Department of Natural Resources and Army Corps of Engineers, to restore and enhance fish passage and habitat in the Sand Hill River watershed. A list of proposed restorations must be provided as part of the required accomplishment plan.

(i) Shell Rock River Watershed Habitat Restoration Program, Ph. V

\$1,200,000 in the second year is to the commissioner of natural resources for an agreement with the Shell Rock River Watershed District to acquire in fee, restore, and enhance aquatic habitat in the Shell Rock River watershed. A list of proposed acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

(j) Roseau Lake Rehabilitation

\$2,763,000 in the second year is to the commissioner of natural resources to acquire interests in land in fee and permanent conservation easement for wildlife management purposes in Roseau County under Minnesota Statutes sections 86A.05, subdivision 8, to restore and enhance wildlife habitat. A list of

proposed land acquisitions and restorations and enhancements must be provided as part of the required accomplishment plan.

(j) Conservation Partners Legacy Grant Program: Statewide and Metro Habitat, Ph. VIII

\$7,438,000 in the second year is to the commissioner of natural resources for a program to provide competitive, matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, or habitat for fish, game, or wildlife in Minnesota. Of this amount, up to \$2,500,000 is for grants in the seven-county metropolitan area and cities with a population of 50,000 or greater. Grants shall not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants shall not be made from the appropriation in this paragraph for projects that have a total project cost exceeding \$575,000. Of the total appropriation, \$588,000 may be spent for personnel costs and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Grants may not be used to establish easement stewardship accounts. Land acquired in fee must be open to hunting and fishing during the open season unless otherwise provided by law. The program shall require a match of at least ten percent from non-state sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner shall provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources shall, when evaluating projects of equal value, give priority to organizations that have a history of receiving or charter to receive private contributions for local conservation or habitat projects. If acquiring land in fee or a conservation easement, priority shall be given to projects associated with or within one mile of existing wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; or aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a permanent covenant ensuring perpetual maintenance and protection of restored and enhanced habitat, by a conservation easement, or by public ownership or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority shall be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, 2020. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner shall provide notice of the grant program in the game and fish law summary prepared under Minnesota Statutes, section 97A.051, subdivision 2.

Subd. 6. Administration

\$275,000

(a) Contract Management

\$150,000 in the second year is to the commissioner of natural resources for contract management duties assigned in this section. The commissioner shall provide an accomplishment plan in the form specified by the Lessard-Sams Outdoor Heritage Council on the expenditure of this appropriation. The accomplishment plan must include a copy of the grant contract template and reimbursement manual. No money may be expended prior to Lessard-Sams Outdoor Heritage Council approval of the accomplishment plan.

(b) Technical Evaluation Panel

\$125,000 in the second year is to the commissioner of natural resources for a technical evaluation panel to conduct up to fifteen restoration and enhancement evaluations under Minnesota Statutes, section 97A.056, subdivision 10.

Subd. 7 Availability of Appropriation

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 accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council. 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. Unless otherwise provided, the amounts in this section are available until June

30, 2019. For acquisition of real property, the amounts in this section are available until June 30, 2020, if a binding agreement with a landowner or purchase agreement is entered into by June 30, 2019, and closed no later than June 30, 2020. Funds for restoration or enhancement are available until June 30, 2021, or five years after acquisition, whichever is later, in order to complete initial restoration or enhancement work. If a project receives at least 15% of its funding from federal funds, the time period of the appropriation may be extended to equal the availability of federal funding to a maximum of six years provided the federal funding was confirmed and included within the first draft accomplishment plan. Funds appropriated for fee title acquisition of land may be used to restore, enhance, and provide for public use of the land acquired with the appropriation. Public use facilities must have a minimal impact on habitat in acquired lands.

Subd. 8. Payment Conditions and Capital Equipment Expenditures

All agreements 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 directly related to each appropriation's purpose made on or after July 1, 2016, or the date of accomplishment plan approval, whichever is later, are eligible for reimbursement unless otherwise provided in this section. For the purposes of administering appropriations and legislatively authorized agreements paid out of the outdoor heritage fund an expense must be considered reimbursable by the administering agency when the recipient presents the agency with an invoice, or binding agreement, with the landowner and the recipient attests that the goods have been received or the landowner agreement is binding. Periodic reimbursement must be made upon receiving documentation that the items articulated in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council have been achieved, including partial achievements as evidenced by progress reports approved by the Lessard-Sams Outdoor Heritage Council. Reasonable amounts may be advanced to projects to accommodate cash flow needs, support future management of acquired lands, or match a federal share. The advances must be approved as part of the accomplishment plan. Capital equipment expenditures for specific items in excess of \$10,000 must be itemized in and approved as part of the accomplishment plan.

Subd. 9. Mapping

Each direct recipient of money appropriated in this section, as well as each recipient of a grant awarded pursuant to this section, must provide geographic information to the Lessard-Sams Outdoor Heritage Council for mapping of any lands acquired in fee with funds appropriated in this section and open to the public taking of fish and game. The commissioner of natural resources shall include the lands acquired in fee with money appropriated in this section on maps showing public recreation opportunities. Maps shall include information on and acknowledgement of the outdoor heritage fund, including a notation of any restrictions.

Subd. 10. RIM Buffers for Wildlife and Water Restorations

The following appropriations to the Board of Water and Soil Resources for the RIM Buffers for Wildlife and Water program may be used for the restoration of lands acquired by conservation easement with the appropriations:

Laws 2015, First Special Session, chapter 2, article 1, section 2, subdivision 2, paragraph (f);

Laws 2014, chapter 256, article 1, section 2, subdivision 2, paragraph (f);

Laws 2013, chapter 137, article 1, section 2, subdivision 2, paragraph (e);

Laws 2012, chapter 264, article 1, section 2, subdivision 2, paragraph (a); and

Laws 2011, First Special Session, chapter 6, article 1, section 2, paragraph (c).

Minnesota Laws 2015, 1st Special Session, Ch. 2, Art. 1, Sec. 2, Subd. 3(c), is amended to read:

(c) Protecting Pinelands Sands Aquifer Forestlands – Phase II

\$2,180,000 in the second year is to the commissioner of natural resources to acquire forest lands in Cass, Hubbard, and Wadena counties for wildlife management purposes under Minnesota Statutes 86A.05, subdivision 8; and to acquire land in fee for state forests under Minnesota Statutes, section 86A.05, subdivision 7. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

Effective date: This section is effective retroactively from July 1, 2015.

Minnesota Laws 2015, 1st Special Session, Ch. 2, Art. 1, Sec. 2, Subd. 2(d), is amended to read:

- (d) Northern Tallgrass prairie National Wildlife Refuge Land Acquisition – Phase VI
\$3,430,000 in the first year is to the commissioner of natural resources for an agreement with The Nature Conservancy in cooperation with the United States Fish and Wildlife Service to acquire land in fee or permanent conservation easements within the Northern Tallgrass Prairie Habitat Preservation Area in western Minnesota for addition to the Northern Tallgrass Prairie national Wildlife Refuge. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or land adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan and must be consistent with priorities in the Minnesota Prairie Conservation Plan.

Minnesota Laws 2015, 1st Special Session, Ch. 2, Art. 1, Sec. 2, Subd. 5(h), is amended to read:

(h) \$8,440,000 in the first year is to the commissioner of natural resources for a program to provide competitive, matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, or habitat for fish, game, or wildlife in Minnesota. Of this amount, \$3,692,000 is for grants in the seven-county metropolitan area and cities with a population of 50,000 or greater. Grants shall not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants shall not be made from the appropriation in this paragraph for projects that have a total project cost exceeding \$575,000. Of this appropriation, \$596,000 may be spent for personnel costs and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Grants may not be used to establish easement stewardship accounts. Land acquired in fee must be open to hunting and fishing during the open season unless otherwise provided by law. The program must require a match of at least ten percent from non-state sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner shall provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources shall, when evaluating projects of equal value, give priority to organizations that have a history of receiving or a charter to receive private contributions for local conservation or habitat projects. If acquiring land or a conservation easement, priority must be given to projects associated with or within one mile of existing wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; or aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a permanent covenant ensuring perpetual maintenance and protection of restored and enhanced habitat, by a conservation easement, or by public ownership or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority must be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, 2018~~9~~. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner shall provide notice of the grant program in the game and fish law summary prepared under Minnesota Statutes, section 97A.051, subdivision 2.

Minnesota Statute 97A.056, Subd. 10, is amended to read:

Subd. 10. Restoration and enhancement evaluations. The commissioner of natural resources and the Board of Water and Soil Resources ~~may~~ must convene a technical evaluation panel comprised of five members, including one technical representative from the Board of Water and Soil Resources, one technical representative from the Department of Natural Resources, one technical expert from the University of Minnesota or the Minnesota State Colleges and Universities, and two representatives with expertise in the project being evaluated. The board and the commissioner may add a technical representative from a unit of federal or local government. The members of the technical evaluation panel may not be associated with the restoration or enhancement, may vary depending upon the projects being reviewed, and shall avoid any potential conflicts of interest. Each year, the board and the commissioner may assign a coordinator to identify ~~a sample of up to ten~~ habitat restoration or enhancement projects completed with outdoor heritage funding. The coordinator shall secure the ~~restoration~~ plans for the projects specified and direct the technical evaluation panel to evaluate the restorations and enhancements relative to the law, current science, and the stated goals and standards in the ~~restoration project~~ plan and, when applicable, to the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines. The coordinator shall summarize the findings of the panel and provide a report to the chair of the Lessard-Sams Outdoor Heritage Council and the chairs of the respective house of representatives and senate policy and finance committees with jurisdiction over natural resources and spending from the outdoor heritage fund. The report shall determine if the restorations and enhancements are meeting planned goals, any problems with the implementation of restorations and enhancements, and, if necessary, recommendations on improving restorations and enhancements. The report shall be focused on improving future restorations and enhancements. At least one-tenth of one percent of forecasted receipts from the outdoor heritage fund must be used for restoration and enhancement evaluations under this section.