

# House Research Act Summary

**CHAPTER:** 256

**SESSION:** 2014 Regular Session

**TOPIC:** Omnibus Legacy Bill

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## Overview

This act contains the fiscal year 2015 appropriations from the outdoor heritage fund and modifies the use of a fiscal year 2015 appropriation from the parks and trails fund.

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#### Article 1: Outdoor Heritage Fund

##### Overview

This article contains the fiscal year 2015 appropriations from the outdoor heritage fund as recommended by the Lessard-Sams Outdoor Heritage Council (LSOHC) and makes modifications to land acquisition procedures.

- 1 **Outdoor heritage appropriation.** Technical.
- 2 **Outdoor heritage.**

**Subd. 1. Total appropriation.** Provides a total appropriation of \$109,320,000 from the outdoor heritage fund in fiscal year 2015.

**Subd. 2. Prairies.** Provides a total appropriation of \$37,435,000 for the following prairie projects:

- (a) \$8,145,000 to the Department of Natural Resources (DNR) to acquire land for Wildlife Management Areas (WMAs) and scientific and natural areas (SNAs) with a portion dedicated to the acquisition of land for the Vermillion River WMA (any

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- extra is required to be spent in the seven-county metropolitan area);
- (b) \$10,350,000 for an agreement with Pheasants Forever to acquire land for wildlife management areas (WMAs);
- (c) \$3,940,000 for a contract with the Nature Conservancy to acquire native prairies, wetlands, and savanna and restore and enhance grasslands, wetlands, and savanna;
- (d) \$2,450,000 for an agreement with the Nature Conservancy, in cooperation with the U.S. Fish and Wildlife Service, to acquire land or easements to be added to the Northern Tallgrass Prairie National Wildlife Refuge;
- (e) \$3,000,000 to the DNR and \$2,450,000 to the Board of Water and Soil Resources (BWSR) for acquisition of conservation easements on native prairie and grasslands;
- (f) \$2,200,000 to BWSR to acquire permanent conservation easements that expand clean water fund riparian buffers on private land;
- (g) \$1,430,000 for an agreement with the Trust for Public Land to acquire and restore lands in the Cannon River watershed for WMA purposes;
- (h) \$1,530,000 to the DNR to accelerate restoration and enhancement of prairie communities in WMAs, SNAs, Aquatic Management Areas (AMAs), state forest land, and land under native prairie bank easements;
- (i) \$1,190,000 to the DNR for various agreements to restore and enhance wildlife habitat on public lands in the Anoka Sandplain;
- (j) \$370,000 for an agreement with Three Rivers Park District to restore and enhance prairie with the Crow-Hassen Park Reserve; and
- (k) \$380,000 for an agreement with Anoka County to restore and enhance habitat in the Rum River Central Regional Park/Cedar Creek Conservation Area complex and in the Mississippi West Regional Park.

**Subd. 3. Forests.** Provides a total appropriation of \$16,100,000 for the following forest projects:

- (a) \$2,800,000 for an agreement with the Fond du Lac Band of Lake Superior Chippewa to acquire land in the St. Louis River watershed for fish and wildlife purposes;
- (b) \$3,150,000 for an agreement with Pheasants Forever, in cooperation with the Minnesota Sharp-Tailed Grouse Society, to acquire and enhance lands for WMA purposes;

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- (c) \$1,050,000 to the DNR to acquire forest lands in various counties for WMA purposes;
- (d) \$880,000 for an agreement with Cass County to acquire land for forest wildlife habitat or prevent forest fragmentation;
- (e) \$950,000 to the DNR to acquire land and management easements in the Richard J. Dorer State Forest; and
- (f) \$5,770,000 to the DNR for various agreements to acquire land for WMAs, SNAs, state forests, and for conservation easements and to restore habitat;
- (g) \$1,200,000 to BWSR, in cooperation with the Morrison County Soil and Water Conservation District, to acquire permanent conservation easements within the boundaries of the Minnesota National Guard Army Compatible Use Buffer (ACUB); and
- (h) \$300,000 for an agreement with the National Audubon Society to enhance floodplain forest habitat along the Mississippi River.

**Subd. 4. Wetlands.** Provides a total appropriation of \$24,010,000 for the following wetland projects:

- (a) \$9,710,000 to BWSR for permanent easements and restoration of wetlands and associated uplands through the Reinvest in Minnesota (RIM) Reserve program;
- (b) \$7,280,000 for an agreement with Pheasants Forever to acquire land for waterfowl production areas;
- (c) \$4,910,000 for an agreement with Ducks Unlimited to assess, enhance, and restore shallow lakes and wetlands;
- (d) \$198,000 to the DNR and \$862,000 to BWSR to acquire easements for wild rice lake shoreland habitat; and
- (e) \$1,050,000 to the DNR to enhance and restore shallow lakes.

**Subd. 5. Habitat.** Provides a total appropriation of \$30,890,000 for the following habitat projects:

- (a) \$2,560,000 to the DNR to acquire lands in fee for AMAs and to restore and enhance aquatic habitat;
- (b) \$2,130,000 for agreements with the Leech Lake Area Watershed Foundation and Minnesota Land Trust to acquire land and easements on lakes in Aitkin, Cass, Crow Wing, and Hubbard Counties;

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- (c) \$1,190,000 for a contract with Dakota County to acquire land and easements and to restore and enhance habitats in rivers and lake watersheds in Dakota County;
- (d) \$2,650,000 for various agreements to acquire land and easements and to restore and enhance natural systems associated with the Mississippi, Minnesota and St. Croix Rivers;
- (e) \$2,440,000 for an agreement with the Bois de Sioux Watershed District to acquire land and to restore natural systems associated with the Mustinka River;
- (f) \$1,900,000 for an agreement with Trout Unlimited to restore and enhance habitat for trout and other species in and along coldwater rivers and streams;
- (g) \$2,290,000 to the DNR to restore habitat in the lower St. Louis River Estuary, including a \$500,000 agreement with the Minnesota Land Trust;
- (h) \$1,410,000 for an agreement with the Lake Superior Steelhead Association to enhance trout habitat in the Knife River watershed;
- (i) \$430,000 for an agreement with Washington County to restore and enhance habitat on public lands within the county;
- (j) \$600,000 for an agreement with the Minneapolis Park Board to enhance riparian and upland habitat within Wirth Park;
- (k) \$4,040,000 for an agreement with the Central Minnesota Initiative Fund to develop pilot projects to prevent the spread of aquatic invasive species;
- (l) \$700,000 to be added to a project from last session for Shell Rock River Watershed District to construct structural deterrents and lake level controls;
- (m) \$4,550,000 to the DNR for the Outdoor Heritage Conservation Partners Grant Program, a competitive grant program administered by the DNR. The grants are available to local, regional, state, and national organizations for enhancement, restoration, or protection of forests, wetlands, prairies, and habitat for fish, game, or wildlife. The grants may be awarded in an amount up to \$400,000 and require a nonstate match of ten percent (either cash or in-kind); and
- (n) \$4,000,000 to the DNR for a Conservation Partners Grant Program for the metro (areas within the seven county metropolitan area or cities with a population of 50,000 or greater).

**Subd. 6. Administration.** Provides a total appropriation of \$885,000 for administration, including: \$150,000 for contract management services from the DNR; \$570,000 for administration of the council; \$100,000 for a technical evaluation panel to conduct restoration audits; \$50,000 for land acquisition pre-transaction services of the DNR; and \$15,000 for the Legacy Web site.

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**Subd. 7. Availability of appropriation.** States that money appropriated 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 and may not be spent on indirect costs or other institutional overhead charges that are not directly related to a specific appropriation. States that appropriations are available until June 30, 2017, unless otherwise specified. States that appropriations for acquisitions are available until June 30, 2018, if a binding agreement is entered into by that June 30, 2017. States that appropriations for restoration or enhancement work are available until June 30, 2019, or five years after acquisition of the land being restored or enhanced, whichever is later. States that appropriations for projects receiving federal funds are extended to equal the availability of federal funding. States that funds for acquisition may be used to restore, enhance, and provide for the public use of lands acquired and that public use facilities must have minimal impact on habitat.

**Subd. 8. Payment conditions and capital equipment expenditures.** Requires all agreements to be administered on a reimbursement basis unless otherwise provided. Allows reasonable amounts to be advanced in some circumstances if approved as part of an accomplishment plan. Requires capital expenditures that exceed \$10,000 to be itemized and approved as part of an accomplishment plan.

**Subd. 9. Mapping.** Requires recipients of an appropriation to submit geographic information on lands acquired in fee that are open to the public for hunting and fishing to the DNR for mapping.

**Subd. 10. Pollinators.** States that a recipient of an appropriation in this section conducting prairie restorations must include an appropriate diversity of native species selected to provide habitat for pollinators throughout the growing season. (This is required of all prairie restorations conducted with state funds or on state lands under an existing state law passed last session.)

- 3 **Outdoor heritage fund.** Amends § 97A.056, subd. 1. Prohibits outdoor heritage funds from being used to acquire property by eminent domain unless the owner of the property requests it beginning July 1, 2014.
- 4 **Restoration evaluations.** Amends § 97A.056, subd. 10. Requires at least one-tenth of one percent of the forecasted receipts of the outdoor heritage fund to be spent on restoration audits (current law requires no more than one-tenth of one percent to be spent on them).
- 5 **Project requirements.** Amends § 97A.056, subd. 13. Allows the DNR to conduct or require additional appraisals of parcels acquired with outdoor heritage funds either in fee or through a conservation easement.

**Section****Article 2: Parks and Trails Fund****Overview**

This article modifies a parks and trails fund appropriation for fiscal year 2015 passed last session.

- 1**      **Carver County parks and trails grant modification.** Allows an appropriation for fiscal year 2015 in the amount of \$297,000 to the Metropolitan Council for grants to Carver County to be used for a park programmer position, roads, parking lots, and paving construction at Lake Minnewashta Regional Park. Under current law, the funds are directed for use to connect the Minnesota River Bluffs Regional Trail and Southwest Regional Trail and for trail and bridge construction.