

A bill for an act

relating to state government; appropriating money for environment and natural resources; requiring approval for acquisition of certain lands to be conveyed to the state; proposing coding for new law in Minnesota Statutes, chapter 116P.

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

Section 1. MINNESOTA RESOURCES 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 environment and natural resources trust fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2010" and "2011" used in this act mean that the appropriations listed under them are available for the fiscal year ending June 30, 2010, or June 30, 2011, respectively. "The first year" is fiscal year 2010. "The second year" is fiscal year 2011. "The biennium" is fiscal years 2010 and 2011. The appropriations in this act are onetime. Appropriations for fiscal year 2010 are available the day following final enactment.

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

Sec. 2. MINNESOTA RESOURCES.

<u>Subdivision 1. Total Appropriations</u>	<u>\$</u>	<u>418,000</u>	<u>\$</u>	<u>25,622,000</u>
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2.1	<u>Appropriations by Fund</u>		
2.2		<u>2010</u>	<u>2011</u>
2.3	<u>Environment and</u>		
2.4	<u>natural resources</u>		
2.5	<u>trust fund</u>	<u>418,000</u>	<u>25,622,000</u>
2.6	<u>Appropriations are available for two</u>		
2.7	<u>years beginning July 1, 2010, unless</u>		
2.8	<u>otherwise stated in the appropriation. Any</u>		
2.9	<u>unencumbered balance remaining in the first</u>		
2.10	<u>year does not cancel and is available for the</u>		
2.11	<u>second year.</u>		
2.12	<b><u>Subd. 2. Trust Fund Definition</u></b>		
2.13	<u>"Trust fund" means the Minnesota</u>		
2.14	<u>environment and natural resources trust fund</u>		
2.15	<u>referred to in Minnesota Statutes, section</u>		
2.16	<u>116P.02, subdivision 6.</u>		
2.17	<b><u>Subd. 3. Natural Resource Data and</u></b>		
2.18	<b><u>Information</u></b>	<u>-0-</u>	<u>4,920,000</u>
2.19	<b><u>(a) County Geologic Atlases and Related</u></b>		
2.20	<b><u>Hydrogeologic Research</u></b>		
2.21	<u>\$1,130,000 is from the trust fund to the Board</u>		
2.22	<u>of Regents of the University of Minnesota for</u>		
2.23	<u>the Geologic Survey to initiate and continue</u>		
2.24	<u>the production of county geologic atlases,</u>		
2.25	<u>establish hydrologic properties necessary to</u>		
2.26	<u>water management, and investigate the use</u>		
2.27	<u>of geochemical data in water management.</u>		
2.28	<u>This appropriation represents a continuing</u>		
2.29	<u>effort to complete the county geologic atlases</u>		
2.30	<u>throughout the state. This appropriation</u>		
2.31	<u>is available until June 30, 2013, by which</u>		
2.32	<u>time the project must be completed and final</u>		
2.33	<u>products delivered.</u>		
2.34	<b><u>(b) Updating Minnesota Wetlands Inventory:</u></b>		
2.35	<b><u>Phase 2</u></b>		

3.1 \$1,100,000 is from the trust fund to the  
3.2 commissioner of natural resources to  
3.3 continue the update of wetland inventory  
3.4 maps for Minnesota. This appropriation  
3.5 is available until June 30, 2013, by which  
3.6 time the project must be completed and final  
3.7 products delivered.

3.8 **(c) Minnesota Breeding Bird Atlas**

3.9 \$372,000 is from the trust fund to continue  
3.10 development of a statewide survey of  
3.11 Minnesota breeding bird distribution and  
3.12 create related publications, including a book  
3.13 and online atlas with distribution maps  
3.14 and breeding status. Of this appropriation,  
3.15 \$211,000 is to the commissioner of natural  
3.16 resources for an agreement with Audubon  
3.17 Minnesota and \$161,000 is to the Board of  
3.18 Regents of the University of Minnesota for  
3.19 the Natural Resources Research Institute.  
3.20 The atlas must be available for downloading  
3.21 on the Internet free of charge.

3.22 **(d) Integrated, Operational Bird Conservation**  
3.23 **Plan for Minnesota**

3.24 \$151,000 is from the trust fund to the  
3.25 commissioner of natural resources for an  
3.26 agreement with Audubon Minnesota to  
3.27 develop an integrated bird conservation plan  
3.28 targeting priority species and providing a  
3.29 framework for implementing coordinated,  
3.30 focused, and effective bird conservation  
3.31 throughout Minnesota.

3.32 **(e) Mitigating Pollinator Decline in Minnesota**

3.33 \$297,000 is from the trust fund to the Board  
3.34 of Regents of the University of Minnesota to  
3.35 assess the role of insecticides in pollinator

4.1 health in order to help mitigate pollinator  
4.2 decline. This appropriation is available  
4.3 until June 30, 2013, by which time the  
4.4 project must be completed and final products  
4.5 delivered.

4.6 **(f) Science and Innovation from Soudan**  
4.7 **Underground Mine State Park**

4.8 \$545,000 is from the trust fund to the Board  
4.9 of Regents of the University of Minnesota  
4.10 to characterize unique microbes discovered  
4.11 in the Soudan Underground Mine State Park  
4.12 and investigate the potential application  
4.13 in bioenergy and bioremediation. This  
4.14 appropriation is available until June 30,  
4.15 2013, by which time the project must be  
4.16 completed and final products delivered.

4.17 **(g) Quantifying Carbon Burial in Wetlands**

4.18 \$144,000 is from the trust fund to the  
4.19 Board of Regents of the University of  
4.20 Minnesota to determine the potential for  
4.21 carbon sequestration in Minnesota's shallow  
4.22 lakes and wetlands. This appropriation is  
4.23 available until June 30, 2013, by which time  
4.24 the project must be completed and final  
4.25 products delivered.

4.26 **(h) Strategic Planning for Minnesota's Natural**  
4.27 **and Artificial Watersheds**

4.28 \$327,000 is from the trust fund to the Board  
4.29 of Regents of the University of Minnesota  
4.30 to identify the interrelationship between  
4.31 artificial systems of drain tiles and ditches  
4.32 and natural watersheds to guide placement  
4.33 of buffers and stream bed restoration and  
4.34 modification.

5.1 (i) Ecosystem Services in Agricultural  
5.2 Watersheds

5.3 \$247,000 is from the trust fund to the  
5.4 commissioner of natural resources for  
5.5 an agreement with the Chippewa River  
5.6 Watershed Project to develop local food and  
5.7 perennial biofuels markets coupled with  
5.8 conservation incentives to encourage farmers  
5.9 to diversify land cover in the Chippewa  
5.10 River Watershed supporting improvement to  
5.11 water quality and habitat. This appropriation  
5.12 is available until June 30, 2013, by which  
5.13 time the project must be completed and final  
5.14 products delivered.

5.15 (j) Farmland Conservation in Minnesota

5.16 \$100,000 is from the trust fund to the  
5.17 commissioner of natural resources for an  
5.18 agreement with the Farmers Legal Action  
5.19 Group, Inc. to assess the implementation of  
5.20 applicable laws for preserving agricultural  
5.21 land and develop a comprehensive and  
5.22 systematic approach and policy tools to  
5.23 preserve agricultural lands.

5.24 (k) Identifying Critical Habitats for Moose in  
5.25 Northeastern Minnesota

5.26 \$507,000 is from the trust fund to the Board  
5.27 of Regents of the University of Minnesota  
5.28 for the Natural Resources Research Institute  
5.29 to identify critical habitats for moose,  
5.30 develop best management habitat protection  
5.31 practices, and conduct educational outreach  
5.32 in cooperation with the Minnesota Zoo.  
5.33 This appropriation is available until June  
5.34 30, 2013, by which time the project must be  
5.35 completed and final products delivered.

6.1	<u>Subd. 4. <b>Land, Habitat, and Recreation</b></u>	<u>418,000</u>	<u>9,773,000</u>
6.2	<u>(a) <b>Ecological Restoration Training</b></u>		
6.3	<u><b>Cooperative for Habitat Restoration</b></u>		
6.4	<u>\$550,000 is from the trust fund to the Board</u>		
6.5	<u>of Regents of the University of Minnesota</u>		
6.6	<u>for improving ecological restoration success</u>		
6.7	<u>in Minnesota by developing and offering</u>		
6.8	<u>training programs for habitat restoration</u>		
6.9	<u>professionals. This appropriation is available</u>		
6.10	<u>until June 30, 2013, by which time the</u>		
6.11	<u>project must be completed and final products</u>		
6.12	<u>delivered.</u>		
6.13	<u>(b) <b>Scientific and Natural Areas and Native</b></u>		
6.14	<u><b>Prairie Restoration, Enhancement, and</b></u>		
6.15	<u><b>Acquisition</b></u>		
6.16	<u>\$1,750,000 is from the trust fund to the</u>		
6.17	<u>commissioner of natural resources to</u>		
6.18	<u>acquire lands with high quality native</u>		
6.19	<u>plant communities and rare features to be</u>		
6.20	<u>established as scientific and natural areas</u>		
6.21	<u>as provided in Minnesota Statutes, section</u>		
6.22	<u>86A.05, subdivision 5, restore parts of</u>		
6.23	<u>scientific and natural areas, and provide</u>		
6.24	<u>assistance and incentives for native prairie</u>		
6.25	<u>landowners. A list of proposed acquisitions</u>		
6.26	<u>must be provided as part of the required</u>		
6.27	<u>work program. Land acquired with this</u>		
6.28	<u>appropriation must be sufficiently improved</u>		
6.29	<u>to meet at least minimum management</u>		
6.30	<u>standards as determined by the commissioner</u>		
6.31	<u>of natural resources. This appropriation</u>		
6.32	<u>is available until June 30, 2013, by which</u>		
6.33	<u>time the project must be completed and final</u>		
6.34	<u>products delivered.</u>		
6.35	<u>(c) <b>State Park Improvements</b></u>		

7.1 \$567,000 is from the trust fund to the  
7.2 commissioner of natural resources for state  
7.3 park capital improvements and natural  
7.4 resource restoration. Of this amount,  
7.5 \$250,000 is for solar energy installations  
7.6 in state parks and the remaining amount  
7.7 shall be used for park and campground  
7.8 restoration and improvements. Priority shall  
7.9 be for projects that address existing threats  
7.10 to public water resources. On July 1, 2010,  
7.11 the unobligated balance, estimated to be  
7.12 \$200,000, of the appropriation for clean  
7.13 energy resource teams and community wind  
7.14 energy rebates in Laws 2005, First Special  
7.15 Session chapter 1, article 2, section 11,  
7.16 subdivision 10, paragraph (a), as amended  
7.17 by Laws 2006, chapter 243, section 15, and  
7.18 extended by Laws 2009, chapter 143, section  
7.19 2, subdivision 16, is transferred and added  
7.20 to this appropriation. On July 1, 2010, the  
7.21 \$47,000 appropriated in Laws 2009, chapter  
7.22 143, section 2, subdivision 6, paragraph (f),  
7.23 for native plant biodiversity, invasive plant  
7.24 species, and invertebrates is transferred and  
7.25 added to this appropriation.

7.26 **(d) State Park Land Acquisition**

7.27 \$1,750,000 is from the trust fund to the  
7.28 commissioner of natural resources to  
7.29 acquire and preserve critical parcels within  
7.30 the statutory boundaries of state parks.  
7.31 Land acquired with this appropriation  
7.32 must be sufficiently improved to meet at  
7.33 least minimum management standards as  
7.34 determined by the commissioner of natural  
7.35 resources. A list of proposed acquisitions

8.1 must be provided as part of the required work  
8.2 program.

8.3 **(e) Protection of Rare Granite Rock Outcrop**  
8.4 **Ecosystem**

8.5 \$1,800,000 is from the trust fund to the  
8.6 Board of Water and Soil Resources, in  
8.7 cooperation with the Renville Soil and Water  
8.8 Conservation District, to continue to acquire  
8.9 perpetual easements of unique granite rock  
8.10 outcrops, located in the Upper Minnesota  
8.11 River Valley. \$418,000 of this appropriation  
8.12 is for fiscal year 2010 and is available the  
8.13 day following final enactment.

8.14 **(f) Minnesota's Habitat Conservation**  
8.15 **Partnership Supplemental**

8.16 \$1,344,000 is added to Laws 2009, chapter  
8.17 143, section 2, subdivision 4, paragraph  
8.18 (e), from the trust fund for the acceleration  
8.19 of agency programs and cooperative  
8.20 agreements. Of this appropriation, \$308,000  
8.21 is to the commissioner of natural resources  
8.22 for agency programs and \$1,036,000 is for  
8.23 agreements as follows: \$425,000 with Ducks  
8.24 Unlimited, Inc.; \$50,000 with National Wild  
8.25 Turkey Federation; \$164,000 with the Nature  
8.26 Conservancy; \$102,000 with Minnesota  
8.27 Land Trust; \$200,000 with the Trust for  
8.28 Public Land; \$45,000 with Friends of Detroit  
8.29 Lakes Wetland Management District; and  
8.30 \$50,000 to the Leech Lake Band of Ojibwe  
8.31 to plan, restore, and acquire fragmented  
8.32 landscape corridors that connect areas of  
8.33 quality habitat to sustain fish, wildlife, and  
8.34 plants. The United States Department of  
8.35 Agriculture Natural Resources Conservation  
8.36 Service is an authorized cooperating partner

9.1 in the appropriation. Expenditures are limited  
9.2 to the project corridor areas as defined in  
9.3 the work program. Land acquired with this  
9.4 appropriation must be sufficiently improved  
9.5 to meet at least minimum habitat and facility  
9.6 management standards as determined by  
9.7 the commissioner of natural resources.  
9.8 This appropriation may not be used for the  
9.9 purchase of residential structures, unless  
9.10 expressly approved in the work program. All  
9.11 conservation easements must be perpetual  
9.12 and have a natural resource management  
9.13 plan. Any land acquired in fee title by the  
9.14 commissioner of natural resources with  
9.15 money from this appropriation must be  
9.16 designated as an outdoor recreation unit  
9.17 under Minnesota Statutes, section 86A.07.  
9.18 The commissioner may similarly designate  
9.19 any lands acquired in less than fee title. A  
9.20 list of proposed restorations and fee title  
9.21 and easement acquisitions must be provided  
9.22 as part of the required work program. All  
9.23 funding for conservation easements must  
9.24 include a long-term stewardship plan and  
9.25 funding for monitoring and enforcing the  
9.26 agreement.  
9.27 **(g) Metropolitan Conservation Corridors**  
9.28 **Supplemental**  
9.29 \$1,750,000 is added to Laws 2009, chapter  
9.30 143, section 2, subdivision 4, paragraph (f),  
9.31 from the trust fund to the commissioner of  
9.32 natural resources for acceleration of agency  
9.33 programs and cooperative agreements.  
9.34 Of this appropriation, \$1,750,000 is for  
9.35 agreements as follows: \$890,000 with  
9.36 the Trust for Public Land; \$485,000 with

10.1 Minnesota Land Trust; \$325,000 with  
10.2 Minnesota Valley National Wildlife Refuge  
10.3 Trust, Inc.; and \$50,000 with Friends  
10.4 of the Minnesota Valley for planning,  
10.5 restoring, and protecting important natural  
10.6 areas in the metropolitan area, as defined  
10.7 under Minnesota Statutes, section 473.121,  
10.8 subdivision 2, and portions of the surrounding  
10.9 counties, through grants, contracted services,  
10.10 technical assistance, conservation easements,  
10.11 and fee title acquisition. Land acquired  
10.12 with this appropriation must be sufficiently  
10.13 improved to meet at least minimum  
10.14 management standards as determined by  
10.15 the commissioner of natural resources.  
10.16 Expenditures are limited to the identified  
10.17 project corridor areas as defined in the work  
10.18 program. This appropriation may not be used  
10.19 for the purchase of residential structures,  
10.20 unless expressly approved in the work  
10.21 program. All conservation easements must  
10.22 be perpetual and have a natural resource  
10.23 management plan. Any land acquired in fee  
10.24 title by the commissioner of natural resources  
10.25 with money from this appropriation must  
10.26 be designated as an outdoor recreation unit  
10.27 under Minnesota Statutes, section 86A.07.  
10.28 The commissioner may similarly designate  
10.29 any lands acquired in less than fee title. A  
10.30 list of proposed restorations and fee title  
10.31 and easement acquisitions must be provided  
10.32 as part of the required work program. All  
10.33 funding for conservation easements must  
10.34 include a long-term stewardship plan and  
10.35 funding for monitoring and enforcing the  
10.36 agreement.

11.1 (h) Conserving Sensitive and Priority  
 11.2 Shorelands in Cass County

11.3 \$300,000 is from the trust fund to the  
 11.4 commissioner of natural resources for an  
 11.5 agreement with Cass County to provide  
 11.6 assistance for the donation of perpetual  
 11.7 conservation easements to protect sensitive  
 11.8 shoreland parcels for long-term protection  
 11.9 of recreation, water quality, and critical  
 11.10 habitat in north central Minnesota. This  
 11.11 appropriation is available until June 30,  
 11.12 2013, by which time the project must be  
 11.13 completed and final products delivered.

11.14 (i) Reconnecting Fragmented Prairie  
 11.15 Landscapes

11.16 \$380,000 is from the trust fund to the  
 11.17 commissioner of natural resources for an  
 11.18 agreement with the Nature Conservancy  
 11.19 to develop prairie landscape design plans  
 11.20 and monitoring protocol involving local  
 11.21 landowners and businesses to guide  
 11.22 conservation, restoration, and related  
 11.23 economic development. This appropriation  
 11.24 is available until June 30, 2013, by which  
 11.25 time the project must be completed and final  
 11.26 products delivered.

11.27	<u>Subd. 5. Water Resources</u>	<u>-0-</u>	<u>3,455,000</u>
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11.28 (a) Understanding Sources of Aquatic  
 11.29 Contaminants of Emerging Concern

11.30 \$640,000 is from the trust fund to the  
 11.31 Board of Regents of the University of  
 11.32 Minnesota to identify chemical markers to  
 11.33 characterize sources of endocrine disruptors  
 11.34 and pharmaceuticals entering surface waters  
 11.35 in the Zumbro River Watershed. This

12.1 appropriation is available until June 30,  
12.2 2013, by which time the project must be  
12.3 completed and final products delivered.

12.4 **(b) Managing Mineland Sulfate Release in St.**  
12.5 **Louis River Basin**

12.6 \$270,000 is from the trust fund to the  
12.7 commissioner of natural resources to map  
12.8 current sulfate sources and assess treatment  
12.9 options to minimize potential impacts of  
12.10 mercury on fish and wildlife from sulfate  
12.11 releases in the St. Louis River Basin. This  
12.12 appropriation is available until June 30,  
12.13 2013, by which time the project must be  
12.14 completed and final products delivered.

12.15 **(c) Ecological Impacts of Effluent in Surface**  
12.16 **Waters and Fish**

12.17 \$340,000 is from the trust fund to the Board  
12.18 of Regents of the University of Minnesota in  
12.19 cooperation with St. Cloud State University  
12.20 to determine the chemical and biological  
12.21 fate of phytoestrogens in surface waters  
12.22 and the impacts on fish. This appropriation  
12.23 is available until June 30, 2013, by which  
12.24 time the project must be completed and final  
12.25 products delivered.

12.26 **(d) Agricultural and Urban Runoff Water**  
12.27 **Quality Treatment Analysis**

12.28 \$485,000 is from the trust fund to the  
12.29 Board of Water and Soil Resources for  
12.30 an agreement with the Blue Earth County  
12.31 Drainage Authority to reduce soil erosion,  
12.32 peak water flows, and nutrient loading  
12.33 through a demonstration model evaluating  
12.34 storage and treatment options in drainage  
12.35 systems in order to improve water quality.  
12.36 This appropriation is available until June

13.1 30, 2014, by which time the project must be  
13.2 completed and final products delivered.

13.3 **(e) Assessing Septic System Discharge to Lakes**

13.4 \$594,000 is from the trust fund to the  
13.5 commissioner of health for department  
13.6 activities and for an agreement with the  
13.7 United States Geologic Survey in cooperation  
13.8 with St. Cloud State University to develop  
13.9 quantitative data on septic system discharge  
13.10 of estrogenic and pharmaceutical compounds  
13.11 and assess septic and watershed influences  
13.12 on levels of contamination and biological  
13.13 responses in Minnesota lakes. The United  
13.14 States Geologic Survey is not subject to the  
13.15 requirements in Minnesota Statutes, section  
13.16 116P.10. This appropriation is available  
13.17 until June 30, 2013, by which time the  
13.18 project must be completed and final products  
13.19 delivered.

13.20 **(f) Evaluation of Dioxins in Minnesota Lakes**

13.21 \$264,000 is from the trust fund to the Board  
13.22 of Regents of the University of Minnesota  
13.23 to examine the concentration of dioxins in  
13.24 lake sediment and options to improve water  
13.25 quality in lakes.

13.26 **(g) Assessment of Shallow Lake Management**

13.27 \$262,000 is from the trust fund to the  
13.28 commissioner of natural resources to  
13.29 evaluate the major causes of deterioration  
13.30 of shallow lakes in Minnesota and evaluate  
13.31 results of current management efforts. This  
13.32 appropriation is available until June 30,  
13.33 2013, by which time the project must be  
13.34 completed and final products delivered.

14.1 (h) Assessing Cumulative Impacts of Shoreline  
14.2 Development

14.3 \$300,000 is from the trust fund to the Board  
14.4 of Regents of the University of Minnesota to  
14.5 evaluate near-shore, in-water habitat impacts  
14.6 from shoreline development activities to  
14.7 assist in the design and implementation of  
14.8 management practices protecting critical  
14.9 shorelands and aquatic habitat. This  
14.10 appropriation is available until June 30,  
14.11 2013, by which time the project must be  
14.12 completed and final products delivered.

14.13 (i) Trout Stream Assessments

14.14 \$300,000 is from the trust fund to the  
14.15 Board of Regents of the University of  
14.16 Minnesota to assess cold water aquatic  
14.17 insect abundance related to warming water  
14.18 temperatures as predictors of trout growth in  
14.19 southeastern Minnesota and assess options  
14.20 to minimize stream temperature changes.  
14.21 This appropriation is available until June  
14.22 30, 2013, by which time the project must be  
14.23 completed and final products delivered.

14.24 Subd. 6. Aquatic and Terrestrial Invasive  
14.25 Species

-0- 1,470,000

14.26 (a) Biological Control of European Buckthorn  
14.27 and Garlic Mustard

14.28 \$300,000 is from the trust fund to the  
14.29 commissioner of natural resources in  
14.30 cooperation with the commissioner of  
14.31 agriculture to continue the development  
14.32 and implementation of biological control  
14.33 for European buckthorn and garlic mustard.  
14.34 This appropriation is available until June

15.1 30, 2013, by which time the project must be  
15.2 completed and final products delivered.

15.3 **(b) Ecological and Hydrological Impacts of**  
15.4 **Emerald Ash Borer**

15.5 \$636,000 is from the trust fund to the Board  
15.6 of Regents of the University of Minnesota to  
15.7 assess the potential impacts of emerald ash  
15.8 borer on Minnesota's black ash forests and  
15.9 quantify potential impacts on native forest  
15.10 vegetation, invasive species spread, and  
15.11 hydrology. This appropriation is available  
15.12 until June 30, 2015, by which time the  
15.13 project must be completed and final products  
15.14 delivered.

15.15 **(c) Healthy Forests to Resist Invasion**

15.16 \$359,000 is from the trust fund to the Board  
15.17 of Regents of the University of Minnesota to  
15.18 assess the role of forest health management  
15.19 in resisting infestation of invasive species.

15.20 This appropriation is available until June  
15.21 30, 2013, by which time the project must be  
15.22 completed and final products delivered.

15.23 **(d) Bioacoustic Traps for Management of**  
15.24 **Round Goby**

15.25 \$175,000 is from the trust fund to the Board  
15.26 of Regents of the University of Minnesota  
15.27 to evaluate bioacoustic technology specific  
15.28 to invasive round goby in Lake Superior as  
15.29 a method for early detection and population  
15.30 reduction. This appropriation is available  
15.31 until June 30, 2013, by which time the  
15.32 project must be completed and final products  
15.33 delivered.

15.34 Subd. 7. **Renewable Energy** -0- 3,364,000

15.35 **(a) Algae for Fuels Pilot Project**

16.1 \$900,000 is from the trust fund to the Board  
16.2 of Regents of the University of Minnesota  
16.3 to demonstrate an innovative microalgae  
16.4 production system utilizing and treating  
16.5 sanitary wastewater to produce biofuels  
16.6 from algae. This appropriation is available  
16.7 until June 30, 2013, by which time the  
16.8 project must be completed and final products  
16.9 delivered.

16.10 **(b) Sustainable Biofuels**

16.11 \$221,000 is from the trust fund to the Board  
16.12 of Regents of the University of Minnesota  
16.13 to determine how fertilization and irrigation  
16.14 impact yields of grass monoculture and high  
16.15 diversity prairie biofuel crops, their storage  
16.16 of soil carbon, and susceptibility to invasion  
16.17 by exotic species. This appropriation is  
16.18 available until June 30, 2013, by which time  
16.19 the project must be completed and final  
16.20 products delivered.

16.21 **(c) Linking Habitat Restoration to Bioenergy**  
16.22 **and Local Economies**

16.23 \$600,000 is from the trust fund to the  
16.24 commissioner of natural resources to restore  
16.25 high quality native habitats and expand  
16.26 market opportunities for utilizing postharvest  
16.27 restoration as a bioenergy source. This  
16.28 appropriation is available until June 30,  
16.29 2013, by which time the project must be  
16.30 completed and final products delivered.

16.31 **(d) Demonstrating Sustainable Energy**  
16.32 **Practices at Residential Environmental**  
16.33 **Learning Centers (RELCs)**

16.34 \$1,500,000 is from the trust fund to  
16.35 the commissioner of natural resources  
16.36 for agreements as follows: \$206,000

17.1	<u>with Audubon Center of the North</u>		
17.2	<u>Woods; \$212,000 with Deep Portage</u>		
17.3	<u>Learning Center; \$350,000 with Eagle</u>		
17.4	<u>Bluff Environmental Learning Center;</u>		
17.5	<u>\$258,000 with Laurentian Environmental</u>		
17.6	<u>Learning Center; \$240,000 with Long</u>		
17.7	<u>Lake Conservation Center; and \$234,000</u>		
17.8	<u>with Wolf Ridge Environmental Learning</u>		
17.9	<u>Center to implement renewable energy,</u>		
17.10	<u>energy efficiency, and energy conservation</u>		
17.11	<u>practices at the facilities. Efforts will include</u>		
17.12	<u>dissemination of related energy education.</u>		
17.13	<b><u>(e) Analysis of Options for Minnesota Energy</u></b>		
17.14	<b><u>Independence</u></b>		
17.15	<u>\$143,000 is from the trust fund to the Board</u>		
17.16	<u>of Regents of the University of Minnesota</u>		
17.17	<u>for a life cycle analysis of low carbon energy</u>		
17.18	<u>technologies available to implement in</u>		
17.19	<u>Minnesota.</u>		
17.20	<b><u>Subd. 8. Environmental Education</u></b>	<u>-0-</u>	<u>2,640,000</u>
17.21	<b><u>(a) Minnesota Conservation Apprenticeship</u></b>		
17.22	<b><u>Academy</u></b>		
17.23	<u>\$368,000 is from the trust fund to the Board</u>		
17.24	<u>of Water and Soil Resources in cooperation</u>		
17.25	<u>with the Minnesota Conservation Corps</u>		
17.26	<u>or its successor to train and mentor future</u>		
17.27	<u>conservation professionals by providing</u>		
17.28	<u>apprenticeship service opportunities to</u>		
17.29	<u>soil and water conservation districts. This</u>		
17.30	<u>appropriation is available until June 30,</u>		
17.31	<u>2013, by which time the project must be</u>		
17.32	<u>completed and the final products delivered.</u>		
17.33	<b><u>(b) Engaging Students in Environmental</u></b>		
17.34	<b><u>Stewardship through Adventure Learning</u></b>		

18.1 \$250,000 is from the trust fund to the  
18.2 commissioner of natural resources for an  
18.3 agreement with the Will Steger Foundation  
18.4 to provide curriculum, teacher training,  
18.5 online learning, and grants to schools  
18.6 on investigating the connection between  
18.7 Minnesota's changing climate and the  
18.8 impacts on ecosystems and natural resources.  
18.9 This appropriation is available until June  
18.10 30, 2013, by which time the project must be  
18.11 completed and final products delivered.

18.12 **(c) Connecting Youth with Nature**

18.13 \$160,000 is from the trust fund to the  
18.14 commissioner of natural resources to hold  
18.15 teacher training workshops on the use of  
18.16 digital photography as a tool for learning  
18.17 about nature. The equipment must be  
18.18 provided from other funds.

18.19 **(d) Urban Wilderness Youth Outdoor**  
18.20 **Education**

18.21 \$557,000 is from the trust fund to the  
18.22 commissioner of natural resources for  
18.23 an agreement with Wilderness Inquiry to  
18.24 provide an outdoor education and recreation  
18.25 program on the Mississippi River. This  
18.26 appropriation is available until June 30,  
18.27 2013, by which time the project must be  
18.28 completed and final products delivered.

18.29 **(e) Get Outside - Urban Woodland for Kids**

18.30 \$218,000 is from the trust fund to the  
18.31 commissioner of natural resources for  
18.32 an agreement with the city of St. Paul,  
18.33 Department of Parks and Recreation, to  
18.34 restore and develop an outdoor classroom  
18.35 for ecological education and historical

19.1 interpretation at Como Regional Park in  
19.2 St. Paul. This appropriation is available  
19.3 until June 30, 2013, by which time the  
19.4 project must be completed and final products  
19.5 delivered.

19.6 **(f) Expanding Outdoor Classrooms at**  
19.7 **Minnesota Schools**

19.8 \$300,000 is from the trust fund to the  
19.9 commissioner of natural resources to  
19.10 establish additional and enhance existing  
19.11 outdoor school forest and prairie classroom  
19.12 networks throughout Minnesota.

19.13 **(g) Integrating Environmental and Outdoor**  
19.14 **Education in Grades 7-12**

19.15 \$300,000 is from the trust fund to the  
19.16 commissioner of education in cooperation  
19.17 with the commissioner of natural resources  
19.18 to train and support grade 7-12 teachers  
19.19 to integrate environmental and outdoor  
19.20 education into the instruction of academic  
19.21 standards.

19.22 **(h) Project Get Outdoors**

19.23 \$15,000 is from the trust fund to the  
19.24 commissioner of natural resources for an  
19.25 agreement with Project Get Outdoors, Inc. to  
19.26 develop out of school programs connecting  
19.27 children to local nature experiences.

19.28 **(i) Fishing: Cross Cultural Gateway to**  
19.29 **Environmental Education**

19.30 \$155,000 is from the trust fund to the  
19.31 commissioner of natural resources for  
19.32 an agreement with the Association for  
19.33 the Advancement of Hmong Women  
19.34 in Minnesota to provide environmental  
19.35 information and teaching skills to and

20.1 increase participation of Southeast Asian  
20.2 communities through the gateway of fishing  
20.3 skills. Information on mercury in fish  
20.4 advisories must be included as part of the  
20.5 educational outreach. This appropriation  
20.6 is available until June 30, 2013, by which  
20.7 time the project must be completed and final  
20.8 products delivered.

20.9 **(j) Minnesota WolfLink**

20.10 \$193,000 is from the trust fund to the  
20.11 commissioner of natural resources for an  
20.12 agreement with the International Wolf Center  
20.13 to develop interactive on-site and distance  
20.14 learning about wolves and their habitat.  
20.15 This appropriation is available until June  
20.16 30, 2013, by which time the project must be  
20.17 completed and final products delivered.

20.18 **(k) Online Field Trip of Minnesota River**

20.19 \$124,000 is from the trust fund to the  
20.20 commissioner of natural resources for an  
20.21 agreement with Minnesota State University  
20.22 - Mankato to develop online educational  
20.23 materials on the Minnesota River for schools  
20.24 and outreach centers.

20.25 **Subd. 9. Availability of Appropriations**

20.26 Money appropriated in this section may  
20.27 not be spent on activities unless they are  
20.28 directly related to the specific appropriation  
20.29 and are specified in the approved work  
20.30 program. Money appropriated in this section  
20.31 must not be spent on indirect costs or other  
20.32 institutional overhead charges. Unless  
20.33 otherwise provided, the amounts in this  
20.34 section are available until June 30, 2012,

21.1 when projects must be completed and final  
21.2 products delivered. For acquisition of real  
21.3 property, the amounts in this section are  
21.4 available until June 30, 2013, if a binding  
21.5 contract is entered into by June 30, 2012,  
21.6 and closed not later than June 30, 2013. If  
21.7 a project receives a federal grant, the time  
21.8 period of the appropriation is extended to  
21.9 equal the federal grant period.

21.10 **Subd. 10. Data Availability Requirements**

21.11 Data collected by the projects funded under  
21.12 this section must conform to guidelines and  
21.13 standards adopted by the Office of Enterprise  
21.14 Technology. Spatial data also must conform  
21.15 to additional guidelines and standards  
21.16 designed to support data coordination and  
21.17 distribution that have been published by the  
21.18 Minnesota Geospatial Information Office.  
21.19 Descriptions of spatial data must be prepared  
21.20 as specified in the state's geographic metadata  
21.21 guideline and must be submitted to the  
21.22 Minnesota Geospatial Information Office.  
21.23 All data must be accessible and free to the  
21.24 public unless made private under the Data  
21.25 Practices Act, Minnesota Statutes, chapter  
21.26 13.

21.27 To the extent practicable, summary data and  
21.28 results of projects funded under this section  
21.29 should be readily accessible on the Internet  
21.30 and identified as an environment and natural  
21.31 resources trust fund project.

21.32 **Subd. 11. Project Requirements**

21.33 (a) As a condition of accepting an  
21.34 appropriation under this section, any agency  
21.35 or entity receiving an appropriation must

22.1 comply with paragraphs (b) to (h) and  
22.2 Minnesota Statutes, chapter 116P, for any  
22.3 project funded in whole or in part with funds  
22.4 from the appropriation.

22.5 (b) To the extent possible, a person  
22.6 conducting restoration with money  
22.7 appropriated under this section must plant  
22.8 vegetation only of ecotypes native to  
22.9 Minnesota and preferably of the local  
22.10 ecotype using a high diversity of species  
22.11 originating as close to the restoration site as  
22.12 possible and, when restoring prairies, protect  
22.13 existing prairies from genetic contamination.  
22.14 Use of seeds and plant materials beyond these  
22.15 requirements must be expressly approved in  
22.16 the work program.

22.17 (c) All conservation easements acquired with  
22.18 money appropriated under this section must:

22.19 (1) be perpetual;  
22.20 (2) specify the parties to an easement in the  
22.21 easement;

22.22 (3) specify all of the provisions of an  
22.23 agreement that are perpetual;

22.24 (4) be sent to the office of the  
22.25 Legislative-Citizen Commission on  
22.26 Minnesota Resources in an electronic format;

22.27 (5) include a long-term stewardship plan and  
22.28 funding for monitoring and enforcing the  
22.29 easement agreement; and

22.30 (6) include requirements in the easement  
22.31 document to address specific water quality  
22.32 protection activities such as keeping water  
22.33 on the landscape, reducing nutrient and  
22.34 contaminate loading, protecting groundwater,

23.1 and not permitting artificial hydrological  
23.2 modifications.

23.3 (d) For all restorations conducted with money  
23.4 appropriated under this section, a recipient  
23.5 must prepare an ecological restoration  
23.6 and management plan that, to the degree  
23.7 practicable, is consistent with the highest  
23.8 quality conservation and ecological goals for  
23.9 the restoration site. Consideration should  
23.10 be given to soil, geology, topography, and  
23.11 other relevant factors that would provide  
23.12 the best chance for long-term success of the  
23.13 restoration projects. The plan must include  
23.14 the proposed timetable for implementing  
23.15 the restoration, including site preparation,  
23.16 establishment of diverse plant species,  
23.17 maintenance, and additional enhancement to  
23.18 establish the restoration; identify long-term  
23.19 maintenance and management needs of  
23.20 the restoration and how the maintenance,  
23.21 management, and enhancement will be  
23.22 financed; and take advantage of the best  
23.23 available science and include innovative  
23.24 techniques to achieve the best restoration.

23.25 (e) For new lands acquired with money  
23.26 appropriated under this section, a recipient  
23.27 must prepare a restoration and management  
23.28 plan in compliance with paragraph  
23.29 (d) including sufficient funding for  
23.30 implementation.

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

24.1 (g) To ensure public accountability for the  
24.2 use of public funds, a recipient of money  
24.3 appropriated under this section must provide  
24.4 to the Legislative-Citizen Commission on  
24.5 Minnesota Resources documentation of the  
24.6 selection process used to identify parcels  
24.7 acquired and provide documentation of all  
24.8 related transaction costs, including but not  
24.9 limited to appraisals, legal fees, recording  
24.10 fees, commissions, other similar costs,  
24.11 and donations. This information must be  
24.12 provided for all parties involved in the  
24.13 transaction. The recipient must also report  
24.14 to the Legislative-Citizen Commission on  
24.15 Minnesota Resources any difference between  
24.16 the acquisition amount paid to the seller  
24.17 and the state-certified or state-reviewed  
24.18 appraisal, if a state-certified or state-reviewed  
24.19 appraisal was conducted. Acquisition data  
24.20 such as appraisals may remain private  
24.21 during negotiations but must ultimately  
24.22 be made public according to Minnesota  
24.23 Statutes, chapter 13. The Legislative-Citizen  
24.24 Commission on Minnesota Resources shall  
24.25 review the requirement in this paragraph  
24.26 and provide a recommendation whether  
24.27 to continue or modify the requirement in  
24.28 future years. The commission may waive  
24.29 the application of this paragraph for specific  
24.30 projects.

24.31 (h) A recipient of money from an  
24.32 appropriation under this section must  
24.33 give consideration to contracting with  
24.34 the Minnesota Conservation Corps or  
24.35 its successor for contract restoration and  
24.36 enhancement services.

25.1 Subd. 12. **Payment Conditions and Capital**  
25.2 **Equipment Expenditures**

25.3 All agreements, grants, or contracts referred  
25.4 to in this section must be administered on  
25.5 a reimbursement basis unless otherwise  
25.6 provided in this section. Notwithstanding  
25.7 Minnesota Statutes, section 16A.41,  
25.8 expenditures made on or after July 1,  
25.9 2010, or the date the work program is  
25.10 approved, whichever is later, are eligible for  
25.11 reimbursement unless otherwise provided  
25.12 in this section. Periodic payment must  
25.13 be made upon receiving documentation  
25.14 that the deliverable items articulated in  
25.15 the approved work program have been  
25.16 achieved, including partial achievements  
25.17 as evidenced by approved progress reports.  
25.18 Reasonable amounts may be advanced to  
25.19 projects to accommodate cash flow needs or  
25.20 match federal money. The advances must  
25.21 be approved as part of the work program.  
25.22 No expenditures for capital equipment are  
25.23 allowed unless expressly authorized in the  
25.24 project work program.

25.25 Subd. 13. **Purchase of Recycled and Recyclable**  
25.26 **Materials**

25.27 A political subdivision, public or private  
25.28 corporation, or other entity that receives an  
25.29 appropriation under this section must use the  
25.30 appropriation in compliance with Minnesota  
25.31 Statutes, sections 16B.121, regarding  
25.32 purchase of recycled, repairable, and durable  
25.33 materials; and 16B.122, regarding purchase  
25.34 and use of paper stock and printing.

25.35 Subd. 14. **Energy Conservation and**  
25.36 **Sustainable Building Guidelines**

26.1 A recipient to whom an appropriation is made  
26.2 under this section for a capital improvement  
26.3 project must ensure that the project complies  
26.4 with the applicable energy conservation and  
26.5 sustainable building guidelines and standards  
26.6 contained in law, including Minnesota  
26.7 Statutes, sections 16B.325, 216C.19, and  
26.8 216C.20, and rules adopted under those  
26.9 sections. The recipient may use the energy  
26.10 planning, advocacy, and State Energy Office  
26.11 units of the Department of Commerce to  
26.12 obtain information and technical assistance  
26.13 on energy conservation and alternative  
26.14 energy development relating to the planning  
26.15 and construction of the capital improvement  
26.16 project.

26.17 Subd. 15. **Accessibility**

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

26.22 Subd. 16. **Carryforward**

26.23 (a) The availability of the appropriation  
26.24 for the following projects is extended to  
26.25 June 30, 2013: Laws 2009, chapter 143,  
26.26 section 2, subdivision 4, paragraph (j),  
26.27 Land and Water Conservation Account  
26.28 (LAWCON) Federal Reimbursements;  
26.29 subdivision 5, paragraph (b), Vulnerability  
26.30 of Fish Populations in Lakes to Endocrine  
26.31 Disrupting Contaminants; and subdivision 6,  
26.32 paragraph (b), Emergency Delivery System  
26.33 Development for Disinfecting Ballast Water.

27.1 (b) The availability of the appropriations  
27.2 transferred in subdivision 4, paragraph (c), is  
27.3 extended to June 30, 2012.

27.4 **EFFECTIVE DATE.** Subdivision 16, paragraph (b), is effective the day following  
27.5 final enactment.

27.6 Sec. 3. **[116P.17] ACQUISITION OF LANDS TO BE CONVEYED TO THE**  
27.7 **STATE; COMMISSIONER APPROVAL.**

27.8 (a) A recipient of an appropriation from the trust fund who acquires an interest in  
27.9 real property must receive written approval from the commissioner of natural resources  
27.10 prior to the acquisition, if the interest:

27.11 (1) is acquired in whole or in part with the appropriation; and

27.12 (2) will be conveyed to the state for management by the commissioner.

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

27.15 (1) is identified as a high priority by the commissioner; or

27.16 (2) meets the objectives and criteria identified in the applicable acquisition plan for  
27.17 the intended management status of the property.

27.18 **EFFECTIVE DATE.** This section is effective July 1, 2010, and applies to  
27.19 appropriations made in fiscal year 2011 and thereafter.