



STATE OF MINNESOTA

Office of Governor Mark Dayton

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

May 23, 2013

The Honorable Paul Thissen
Speaker of the House
Room 463, State Office Building
100 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, Minnesota 55155

Dear Mr. Speaker:

I have received, approved, signed, and deposited in the Office of the Secretary of State Chapter 137, House File 1183, the Legacy Bill, with the exception of the line item vetoes listed below:

- Pages 13-14, lines 13.33-14.2: "\$6,300,000 in the first year is to the Metropolitan Council for grants to restore and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife in the metropolitan regional parks system."
- Page 16, lines 16.3-16.9: "Of this amount, \$3,000,000 is for aquatic invasive species grants to tribal and local governments with a delegation agreement under Minnesota Statutes, section 84D.105, subdivision 2, paragraph (g), for education, inspection, and decontamination activities at public water access, and other sites."

This decision is extremely difficult for me. I attach great importance to keeping my word. Unfortunately, in this instance, I have given contradictory assurances to legislators during the past few days and to thousands of Minnesotans during the past few years. I have decided that I must honor my promise to those citizens.

I believe that this decision also represents the best interests of the people of Minnesota, who care deeply about the Outdoor Heritage Fund of the Legacy Fund. In my thirteen legislative sessions, I have rarely seen the acrimony and distrust, which this dispute has caused between legislators and concerned citizens. The bitterness is not about the merits of the two projects I am vetoing, but rather the way in which they were added and other significant changes were proposed to the House bill.

As the legislative session approached its final hours, this battle over money, priorities, and prerogatives threatened to block passage of the entire Legacy Bill, which contained \$496 million of funding for important projects throughout our state. Last Sunday afternoon you, Senator Bakk, and I agreed to a compromise, in which the above two items would be included in the Legacy Conference Report. Although I had expressed my strong opposition to altering the recommendations of the Lessard-Sams Council before and during the session, it appeared at that time that our only two options were to: 1) agree to this compromise, or 2) jeopardize passage of the entire bill.

At that time, I hoped that the thousands of Minnesotans, who are deeply committed to the work of the Lessard-Sams Council, would accept our compromise. Since the bill's passage, however, I have heard from many organizations, representing thousands of our citizens, who

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believe my approval of those two items would betray the promises I have made repeatedly during the past four years to respect the Council's decisions.

I also note that investments in Metro parks, including habitat improvements, received other funding from the legislature this year:

- \$9.085mm from the Outdoor Heritage Fund for Metro habitat;
- \$33.774mm for Metro Parks and Trails grants from the Legacy Fund;
- \$17.08mm to the Metropolitan Council for base funding for regional parks, from the Environment Finance bill; and
- \$5.62mm from LCCMR for Metro-area habitat acquisition;

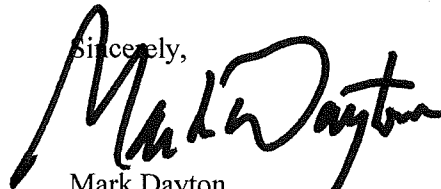
totaling \$65.559 million.

I also note that the following aquatic invasive species (AIS) received other funding from the Legislature this year as well, including:

- \$8.526mm was appropriated in the Environment Finance bill to combat AIS; and
- \$9.84mm was appropriate in the LCCMR bill for AIS research investments.

Nevertheless, my line-item vetoes do not reflect a lack of support for the two projects; rather they underscore my conviction that the House Legacy Committee must work with its citizen councils, not against them. I will ask the Lessard-Sams Outdoor Heritage Council to reconsider these two projects when it assembles its next funding recommendations.

I believe it is imperative that the leadership of the House Legacy Committee repair its relations with the Lessard-Sams Council and the many sportsmen, sportswomen, outdoor recreation enthusiasts, hunters, anglers, and everyone else committed to the enhancement of our state's priceless outdoor heritage. Otherwise, I have serious doubts that a Legacy Bill can be enacted in future legislative sessions.

Sincerely,

Mark Dayton
Governor

cc: Representative Phyllis Kahn
Senator Richard Cohen
Senator Sandy Pappas, President of the Senate
Senator Thomas M. Bakk, Senate Majority Leader
Senator David W. Hann, Senate Minority Leader
Representative Kurt Daudt, House Minority Leader
The Honorable Mark Ritchie, Secretary of State
Ms. JoAnne Zoff, Secretary of the Senate
Mr. Albin A. Mathiowetz, Chief Clerk of the House of Representatives

Main Request for Funding Form

Lessard-Sams Outdoor Heritage Council Fiscal Year 2014 / ML 2013 Proposal

Program or Project Title: Wildlife Habitat Restoration and Enhancement in Metropolitan Regional Parks System

Funds Requested: \$6,346,000

Manager's Name: Arne Stefferud

Title: Acting Manager--Regional Parks and Natural Resources Unit

Organization: Metropolitan Council

Street Address: 390 N. Robert Street

City: St. Paul, MN 55101

Telephone: 651-602-1360

E-Mail: arne.stefferud@metc.state.mn.us

Organization Web Site: metro council.org/parks/index

County Locations: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Ecological Planning Regions:

- Metro / Urban

Activity Type:

- Restore
- Enhance

Priority Resources Addressed by Activity:

- Wetlands
- Forest
- Prairie
- Habitat

Abstract

Fifteen projects would restore 1,821.7 acres and enhance 628 acres of wildlife habitat in the Metropolitan Regional Parks System. These projects implement priority natural resource management plan components of regional park master plans approved by the Metroplitan Council.

Activity Detail

Design and Scope of Work

The Metropolitan Council would fund 15 projects that would restore 303 acres of wetlands, 210 acres of prairie, 385 acres of forest and 924 acres of mixed habitat. The projects would enhance 131 acres of wetlands, 124 acres of prairie and 373 acres of forest. The projects were developed by the regional park implementing agencies to implement natural resource management components of regional park master plans that have been approved by the Metropolitan Council. In several instances the regional park implementing agencies are providing cash matches to leverage the Outdoor Heritage Fund request.

More details for each project along with leveraged cash matches to the projects are shown in the Attachments where there is an attachment for each of the 15 projects. Each project would be monitored by the Metropolitan Council under a grant agreement. The Metropolitan Council would disburse grant payments as reimbursements to the grantees (regional park implementing agencies) upon documented completion of project components. The Metropolitan Council would also monitor leveraged cash matches for applicable projects.

Planning

MN State-wide Conservation Plan Priorities

- H2 Protect critical shoreland of streams and lakes
- H3 Improve connectivity and access to recreation
- H4 Restore and protect shallow lakes
- H5 Restore land, wetlands and wetland-associated watersheds
- H6 Protect and restore critical in-water habitat of lakes and streams
- H7 Keep water on the landscape
- LU6 Reduce Upland and gully erosion through soil conservation practices
- LU8 Protect large blocks of forest land

Plans Addressed

- Minnesota DNR Strategic Conservation Agenda
- State Comprehensive Outdoor Recreation Plan
- Tomorrow's Habitat for the Wild and Rare

LSOHC Statewide Priorities

- Are able to leverage effort and/or other funds to supplement any OHF appropriation
- Use a science-based strategic planning and evaluation model to guide protection, restoration and enhancement, similar to the United States Fish and Wildlife Service's Strategic Habitat Conservation model
- Address wildlife species of greatest conservation need, Minnesota County Biological Survey data, and rare, threatened and endangered species inventories in land and water decisions, as well as permanent solutions to aquatic invasive species
- Ensures activities for "protecting, restoring and enhancing" are coordinated among agencies, non profits and others while doing this important work

LSOHC Metro Urban Section Priorities

- Protect, enhance, and restore remnant native prairie, Big Woods forests, and oak savanna with an emphasis on areas with high biological diversity

- Protect habitat corridors, with emphasis on the Minnesota, Mississippi, and St. Croix rivers (bluff to floodplain)
- Enhance and restore coldwater fisheries systems
- Protect, enhance, and restore riparian and littoral habitats on lakes to benefit game and nongame fish species

Relationship to Other Constitutional Funds

- Environmental and Natural Resource Trust Fund
- Parks and Trails Fund

The Metropolitan Council also oversees the distribution of Environmental and Natural Resources Trust Fund (ENRTF) appropriations and Parks and Trails Fund (PTF) appropriations to the 10 regional park implementing agencies who collectively own and manage portions of the Metropolitan Regional Park System. Every \$3 of the ENRTF appropriation is matched with \$2 of Metropolitan Council bonds for grants to the regional park implementing agencies to acquire land within Metropolitan Council approved regional park and trail master plans on a parcel by parcel basis. The lands must contain high quality natural resources without any structures on them to qualify for the grant. These acquisitions include wildlife habitat. The PTF appropriation is disbursed as grants to the 10 regional park implementing agencies under the formula contained in MS 85.53. Ninety percent of the appropriation is used by the regional park agencies for projects and programs that implement the four strategic directions of the Parks and Trails Legacy Plan, Parks and Trails of State and Regional Significance, A 25-year long range plan for Minnesota, 2011-2034. Examples include grants to construct new trails or picnic shelters, restore existing trails or picnic shelters, finance staff to lead environmental education and volunteer programs, and to prepare new or updates to existing regional park and trail master plans. Every \$3 of the remaining ten percent of the PTF appropriation is matched with \$2 of Metropolitan Council bonds for grants to the regional park implementing agencies to acquire land within Metropolitan Council approved regional parks and trail master plans that does not qualify for ENRTF grants. These lands have been disturbed and typically include the acquisition of a structure which is either reused for park purposes, or removed. The Outdoor Heritage Fund would finance grants specifically to restore and enhance wildlife habitat in the regional parks, which is not financed by the other Constitutional Funds listed above.

Accelerates or Supplements Current Efforts

This proposal accelerates efforts by the regional park implementing agencies to restore and enhance wildlife habitat on Metropolitan Regional Park System lands and associated water bodies. Such work has been done at a lesser scale in the past due to funding constraints and demands to primarily utilize those other funds for park and trail facility development and rehabilitation, plus outdoor recreation programming.

Sustainability and Maintenance

The regional park implementing agencies would sustain/maintain the restored or enhanced habitat areas using their own staff and volunteer resources financed with the following range of revenue sources used to operate and maintain their portion of the Metropolitan Regional Park System: (1) Property taxes collected by the park agency's policy board (County board, city council, park district board); (2) User fees from park visitors including but not limited to camping fees, vehicle entry fees, programming fees, concession and merchandise sales; (3) Annual State appropriations from the General Fund and Natural Resources Fund (Lottery in Lieu of Sales Tax account). These State appropriations have been provided since 1985 under MS 473.351. They finance about 10% of annual operations and maintenance expenses for the Metropolitan Regional Park System.

Is the activity on permanently protected land and/or public waters per MS 103G.005, Subd. 15? - Yes (On lands within 15 Metropolitan Regional Park System units.)

Accomplishment Timeline

Activity	Approximate Date Completed
Based on the appropriation of Outdoor Heritage Funds for this proposal, 15 grants for the projects would be awarded by the Metropolitan Council to the applicable regional park implementing agencies. The grant amount would be proportional to the amount proposed if the appropriation is less than \$6.34 million. The grant agreement would include terms and conditions on spending the appropriation consistent with the LSOHC-approved Accomplishment Plan for that project and other conditions required by law and Metropolitan Council policy.	July 1, 2013
The regional park implementing agencies would carry out the work described in their grant agreement(s). Outdoor Heritage Fund appropriations would be used to reimburse the agency for its initial financing of the project under the terms and conditions of the grant agreement. Each grant agreement has its own expiration date based on the time requirement for the project to be completed, but all of the projects must be completed within the 5 year time line for an Outdoor Heritage Fund appropriation. Consequently, all projects will be completed by June 30, 2018.	June 30, 2018

Outcomes

Programs in metropolitan urbanizing region

- A network of natural land and riparian habitats will connect corridors for wildlife and species in greatest conservation need
- Core areas protected with highly biologically diverse wetlands and plant communities, including native prairie, Big Woods, and oak savanna
- Improved aquatic habitat indicators
- Protected habitats as part of the Mississippi River Flyway. Limited hunts for wildlife management.

Budget Spreadsheet

Total Amount of Request: \$6,346,000

Budget and Cash Leverage

Budget Name	LSOHC Request	Anticipated Cash Leverage	Cash Leverage Source	Total
Personnel	\$170,000	\$247,000		\$417,000
Contracts	\$4,641,000	\$100,000	See Attachments for the Source of Leveraged Funds. Not all projects have leveraged funds.	\$4,741,000
Fee Acquisition w/ PILT	\$0	\$0		\$0
Fee Acquisition w/o PILT	\$0	\$0		\$0
Easement Acquisition	\$0	\$0		\$0
Easement Stewardship	\$0	\$0		\$0
Travel (in-state)	\$0	\$0		\$0
Professional Services	\$1,073,000	\$17,000	See Attachments for the Source of Leveraged Funds. Not all projects have leveraged funds.	\$1,090,000
Direct Support Services	\$0	\$0		\$0
DNR Land Acquisition Costs	\$0	\$0		\$0
Capital Equipment	\$0	\$0		\$0
Other Equipment/Tools	\$0	\$0		\$0
Supplies/Materials	\$462,000	\$7,000	See Attachments for the Source of Leveraged Funds. Not all projects have leveraged funds.	\$469,000
DNR IDP	\$0	\$0		\$0
Total	\$6,346,000	\$371,000		- \$6,717,000

Personnel

Position	FTE	Over # of years	LSOHC Request	Anticipated Cash Leverage	Cash Leverage Source	Total
See Attachments for Position titles. This line represents the cumulative FTEs for all fifteen projects.	10.21	5.00	\$170,000	\$247,000	See Attachments for the Source of Levaraged Funds. Not all projects have leveraged funds.	\$417,000
Total	10.21	5.00	\$170,000	\$247,000	-	\$417,000

Output Tables

Table 1. Acres by Resource Type

Type	Wetlands	Prairies	Forest	Habitats	Total
Restore	303	210	385	924	1,822
Protect in Fee with State PILT Liability	0	0	0	0	0
Protect in Fee W/O State PILT Liability	0	0	0	0	0
Protect in Easement	0	0	0	0	0
Enhance	131	124	373	0	628
Total	434	334	758	924	2,450

Table 2. Total Requested Funding by Resource Type

Type	Wetlands	Prairies	Forest	Habitats	Total
Restore	\$629,000	\$908,300	\$1,558,000	\$664,000	\$3,759,300
Protect in Fee with State PILT Liability	\$0	\$0	\$0	\$0	\$0
Protect in Fee W/O State PILT Liability	\$0	\$0	\$0	\$0	\$0
Protect in Easement	\$0	\$0	\$0	\$0	\$0
Enhance	\$758,200	\$605,000	\$1,223,500	\$0	\$2,586,700
Total	\$1,387,200	\$1,513,300	\$2,781,500	\$664,000	\$6,346,000

Table 3. Acres within each Ecological Section

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	Northern Forest	Total
Restore	1,822	0	0	0	0	1,822
Protect in Fee with State PILT Liability	0	0	0	0	0	0
Protect in Fee W/O State PILT Liability	0	0	0	0	0	0
Protect in Easement	0	0	0	0	0	0
Enhance	628	0	0	0	0	628
Total	2,450	0	0	0	0	2,450

Table 4. Total Requested Funding within each Ecological Section

Type	Metro/Urban	Forest/Prairie	SE Forest	Prairie	Northern Forest	Total
Restore	\$3,834,300	\$0	\$0	\$0	\$0	\$3,834,300
Protect in Fee with State PILT Liability	\$0	\$0	\$0	\$0	\$0	\$0
Protect in Fee W/O State PILT Liability	\$0	\$0	\$0	\$0	\$0	\$0
Protect in Easement	\$0	\$0	\$0	\$0	\$0	\$0
Enhance	\$2,511,700	\$0	\$0	\$0	\$0	\$2,511,700
Total	\$6,346,000	\$0	\$0	\$0	\$0	\$6,346,000

Table 5. Target Lake/Stream/River Miles

7 miles

Parcel List

Section 1 - Restore / Enhance Parcel List

Anoka

Name	TRDS	Acres	Est Cost	Existing Protection?
Mississippi West Regional Park	03225233	120	\$270,000	Yes
Rum River Central Regional Park	03224206	45	\$150,000	Yes

Carver

Name	TRDS	Acres	Est Cost	Existing Protection?
Lake Minnewashta Regional Park	11623204	37	\$200,000	Yes

Dakota

Name	TRDS	Acres	Est Cost	Existing Protection?
Miesville Ravine Park Reserve	11317226	4	\$60,000	Yes
Whitetail Woods Regional Park	11419210	90	\$500,000	Yes

Hennepin

Name	TRDS	Acres	Est Cost	Existing Protection?
Baker Park Reserve	11824208	924	\$210,000	Yes
Theodore Wirth Regional Park	02924219	175	\$915,000	Yes

Ramsey

Name	TRDS	Acres	Est Cost	Existing Protection?
Battle Creek Regional Park	02822202	72	\$468,000	Yes
Lilydale Regional Park	02823214	12	\$500,000	Yes

Scott

Name	TRDS	Acres	Est Cost	Existing Protection?
Cedar Lake Farm Regional Park	11323224	50	\$37,000	Yes
Cleary Lake Regional Park	11421207	153	\$400,000	Yes
Doyle-Kennefick Regional Park	11322202	150	\$338,000	Yes
Spring Lake Regional Park	11422204	302	\$1,523,000	Yes

Washington

Name	TRDS	Acres	Est Cost	Existing Protection?
Lake Elmo Park Reserve	02720222	58	\$425,000	Yes
Lake Elmo Park Reserve plus St. Croix Bluffs and Cottage Grove Ravine Regional Parks	02921223	217	\$350,000	Yes

Section 2 - Protect Parcel List

No parcels with an activity type protect.

Section 2a - Protect Parcel with Bldgs

No parcels with an activity type protect and has buildings.

Section 3 - Other Parcel Activity

No parcels with an other activity type.