

Darby Nelson's Land and Water Summit talk. September 24, 2009

It's great to spend time this morning among kindred spirits – with folks having deep concern and interest in the future of Minnesota's great natural resources: its waters and prairies, its wetlands and its forests and the wild creatures that call these places home.

The people of Minnesota have given themselves and us an incredible opportunity to protect, enhance and restore that natural treasure. Those of us on the front lines, and that is most of you in this room, working to turn the hopes of Minnesotans into great conservation outcomes their generosity makes possible, have a huge obligation. We absolutely must get it right.

So, how is the Lessard-Sams Outdoor Heritage Council going to prioritize its efforts? What is the Council doing to maximize the chances of getting its stewardship of the legacy fund done right? What does the future hold?

Before I address those questions I need to touch on two other items. First, I need to make clear that the Council rests solidly on a four-legged stool, metaphorically speaking. We are and have been from Day One committed to a) full accountability, b) full transparency, c) sound science, and d) maximizing conservation outcomes with each dollar spent.

Secondly, I want to describe the context, the setting, as I see it, within which the council must work:

The constitutional constraints are the first piece of our context. The constitution says outdoor heritage funds may be spent only to restore, protect and enhance wetlands, prairies, forests, and habitat for fish, game and wildlife. Further, land acquired by fee title with Outdoor Heritage Fund dollars must be open to hunting and fishing during the open season unless otherwise provided by law.

Second, the legislation directs the council, the House Cultural and Outdoor Resources Finance Division and the appropriate senate committee to create jointly a Legislative Guide. While the guide does not yet exist, it is to include:

- principals by which to guide future expenditures
- desired outcomes
- a general statement applicable to later years for the fund
- consideration of financial methods that may be used in future appropriations such as a revolving fund

Third, the twelve constitutional investment goals of the Cultural and Outdoor Resources Finance Division in the House are also an important part of our context. The goals of this document are important and helpful. In fact the council had copies of this document in from of us last week when we made major priority decisions.

Fourth, the magnitude of the conservation need is a very significant part of the context within which we operate. The council's work with conservation professionals this summer has led to the realization that available funding will be woefully short of meeting

those needs – a far greater disparity between need and funding than I ever expected. I once thought \$70 million was a lot of money. It surely is in most context. But stacked against conservation need it's small potatoes.

That reality means we must make only the most strategic decisions on where fund dollars ought to go. It also means our priorities must absolutely be grounded in sound science so no efforts are wasted.

Fifth, constituency pressures are also part of the context within which we try to prioritize. Here are some examples:

- Last round some legislators were not happy with the amount of money we recommended go to easement acquisition of the 187,000 acre Blandin forest.
- Aquatic folks felt aquatic habitat was given short shrift last time and want a higher percent of the money to go to aquatic projects.
- At least one disgruntled project proposer who did not receive funding recommendation by the council cried sour grapes and threatened to by-pass our process.
- Other conservationists disagreed over which species deserved greater protection

As one council member said last winter: “No matter what we do, we are going to make a lot of people mad.”

Can we collectively arrive at a point that everyone can live with? We must.

The council's stance has been that although conservation professional's prioritizations and quality of proposals may not result in equal funding for all regions and all habitat types and all species in a given year we will commit to accomplishing equitable distribution over time.

Let me present one more part of our context. There are a growing number of counties that oppose any net gain in public land. That stance obviously has significant impact on the kinds of conservation work we can do. As you can see, the council does not operate in a vacuum.

So what steps is the council taking to “get it right”? I submit that with the process we used over the summer, culminating last week in completing our Call for Funding Request document, we have taken a huge step toward getting this stewardship issue right – a huge step in establishing appropriate priorities.

Bill Becker, the council's Executive Director, will elaborate on that process in one of the break-out sessions following the morning break and I will not steal his thunder. What I can say, however, is that by engaging conservation professionals in five separate groups in five different regions of the state and asking them to identify the top conservation priorities in their particular region, we took a giant step toward zeroing in on priorities that made sense for each particular region.

I attended four of the five sessions, in New Ulm, Rochester, St. Paul and Detroit Lakes and I think nearly all break-time conversations included comments like this: “Wow! What an incredible collection of conservation science brain power in this room.”

There is no question. The priorities we placed in the Call document to be released October first are deeply rooted in the advice and collective wisdom of the most credible people there are in each region. We are confident that our prioritization process is a giant step toward getting it right.

We got a number of excellent, thoughtful comments after those regional sessions. Here is one example. One organization suggested we establish a technical advisory committee to evaluate proposals that appear to be having legs in our sorting and sifting out proposals process. Speaking for myself, I like the idea. It would guarantee that each project we recommend meets up-to-date science standards thereby giving the public and legislators one more level of assurance of the quality underlying out recommendations.

The council is composed of a diverse group of twelve members, each of whom brings different knowledge and sets of experiences to the table. I think it telling that the package of priority actions that we are asking proposers to address this funding round for each of the different regions was passed unanimously by this diverse council.

Our next task will be sorting through funding requests and ultimately putting together a package of recommendations to be passed on to the legislature. It takes a super majority of nine council members to move the package out of council to the legislature.

The council faces a number of issues going forward:

- PILT payments (payment in lieu of taxes to counties in compensation for public lands taken off the property tax rolls). Last round our land acquisitions added \$134,000 in PILT to general fund obligations. A number of legislators are nervous about what could become a growing burden on the general fund as the years pass. We need to resolve this problem.
- A number of conservation professionals raised the issue of long-term funding of enhancement and restoration costs, particularly after the 25 year life of the legacy funds ends. How do we continue stewardship of the investments the fund will have made over those 25 years?
- Common discussion themes that emerged as topics of concern across the regional meetings provide food for thought for the council’s future consideration including, a) concerns over the need to ramp-up personnel capacity. There are limits to the number of skilled people available to do things like work with landowners etc. b) Research and data collection efforts are needed. c) In many parts of the state a large portion of land is in private ownership and is likely to stay that way. (For example, in the southeast part of the state 75 percent of the land is private. You can’t accomplish all the conservation work that’s needed if you don’t work with private landowners, some said. Others asked if the council could work with private landowners outside perpetual easements.)

In addition to asking conservation professionals to layout their priorities for this upcoming funding round, we also asked them to give us an initial 5 and 10 year funding plan as well as a 25 year framework. Unfortunately, the FY 2010 priority work consumed too much time for the professionals to adequately address the 25 year framework, So that task remains on our to-do list.

We seem unable to extract ourselves from time crunches. Many of us on the council would like to see a biennial rather than an annual funding cycle to get out from under the ever-present rush-rush-rush.

Speaking of looking forward. This past legislative session some rough spots arose between the council and House members. I feel very badly about that. WE are all in this venture together. To meet the hopes and expectations of the citizenry, we must work synergistically. Synergies almost always produce better results than antagonisms. We can do that going forward and I'm confident we will.

A Final Thought

Though as a council we have moved up the learning curve considerably since we first convened December 1, 2008, we still discover twists and kinks in our process and procedures that need to be worked out. We are still a work in progress. As always, I strongly urge you to pass on your advice, suggestions and insights to help us make this venture we are all committed to as successful as it can be. Minnesotans who are providing this opportunity deserve no less.