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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 1265

02/15/2017 Authored by Heintzeman, Ecklund and Lueck
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance
03/20/2017 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
05/04/2017 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to natural resources; appropriating money from environment and natural
1.3 resources trust fund; providing for no net gain of state lands in certain counties;
1.4 modifying requirements for receipt of fund money; amending Minnesota Statutes
1.5 2016, sections 116P.05, subdivision 2; 116P.17, subdivision 1; proposing coding
1.6 for new law in Minnesota Statutes, chapter 15.

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

1.8 Section 1. APPROPRIATIONS.

1.9 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
1.10 and for the purposes specified in this act. The appropriations are from the environment and
1.11 natural resources trust fund, or another named fund, and are available for the fiscal years
1.12 indicated for each purpose. The figures "2017," "2018," and "2019" used in this act mean
1.13 that the appropriations listed under them are available for the fiscal year ending June 30,
1.14 2017, June 30, 2018, or June 30, 2019, respectively. "The first year" is fiscal year 2018.
1.15 "The second year" is fiscal year 2019. "The biennium" is fiscal years 2018 and 2019.
1.16 Appropriations for fiscal year 2017 are available the day following final enactment.

Table with 3 columns: APPROPRIATIONS, Available for the Year, Ending June 30, and rows for years 2017, 2018, 2019.

1.21 Sec. 2. MINNESOTA RESOURCES

2.1 **Subdivision 1. Total**
 2.2 **Appropriation** **\$ 8,428,000 \$ 50,828,000 \$ -0-**

2.3 The amounts that may be spent for each
 2.4 purpose are specified in the following
 2.5 subdivisions. Appropriations for fiscal years
 2.6 2018 and 2019 are available for two years
 2.7 beginning July 1, 2017, for fiscal year 2018
 2.8 appropriations and beginning July 1, 2018, for
 2.9 fiscal year 2019 appropriations, unless
 2.10 otherwise stated in the appropriation. Any
 2.11 unencumbered balance remaining in the first
 2.12 year does not cancel and is available for the
 2.13 second year or until the end of the
 2.14 appropriation. Appropriations for fiscal year
 2.15 2017 are available until June 30, 2018, unless
 2.16 otherwise stated in the appropriation.

2.17 **Subd. 2. Definition**
 2.18 "Trust fund" means the Minnesota
 2.19 environment and natural resources trust fund
 2.20 established under the Minnesota Constitution,
 2.21 article XI, section 14.

2.22 **Subd. 3. Foundational**
 2.23 **Natural Resource Data and**
 2.24 **Information** **3,700,000 6,869,000 -0-**

2.25 **(a) County Geologic Atlases - Continuation**
 2.26 \$3,700,000 in fiscal year 2017 is from the trust
 2.27 fund to the Board of Regents of the University
 2.28 of Minnesota, Minnesota Geological Survey,
 2.29 to continue acceleration of the production of
 2.30 county geologic atlases for the purpose of
 2.31 sustainable management of surface water and
 2.32 groundwater resources. This appropriation is
 2.33 to complete Part A of county geologic atlases,
 2.34 which focuses on the properties and
 2.35 distribution of earth materials in order to
 2.36 define aquifer boundaries and the connection

3.1 of aquifers to the land surface and surface
3.2 water resources. This appropriation is
3.3 available until June 30, 2020, by which time
3.4 the project must be completed and final
3.5 products delivered.

3.6 **(b) Assessment of Public Benefits of Protecting**
3.7 **Source Water**

3.8 \$320,000 the first year is from the trust fund
3.9 to the Board of Regents of the University of
3.10 Minnesota to map and quantify source water
3.11 risks, determine ecosystem service valuation
3.12 of clean water, and provide analyses of equity
3.13 and community capacity to improve decisions
3.14 about the protection and management of
3.15 groundwater and surface water. This
3.16 appropriation is available until June 30, 2020,
3.17 by which time the project must be completed
3.18 and final products delivered.

3.19 **(c) Preserving Minnesota Prairie Plant Diversity**
3.20 **- Phase II**

3.21 \$900,000 the first year is from the trust fund
3.22 to the Board of Regents of the University of
3.23 Minnesota to continue collecting and
3.24 preserving germplasm of plants throughout
3.25 Minnesota's prairie region, study the microbial
3.26 effects that promote plant health, analyze local
3.27 adaptation, and evaluate the adaptive capacity
3.28 of prairie plant populations. This appropriation
3.29 is available until June 30, 2020, by which time
3.30 the project must be completed and final
3.31 products delivered.

3.32 **(d) Minnesota Biological Survey - Continuation**

3.33 \$2,900,000 the first year is from the trust fund
3.34 to the commissioner of natural resources for
3.35 continuation of the Minnesota biological
3.36 survey to provide a foundation for conserving

4.1 biological diversity by systematically
4.2 collecting, interpreting, monitoring, and
4.3 delivering data on plant and animal
4.4 distribution and ecology, native plant
4.5 communities, and functional landscapes. This
4.6 appropriation is available until June 30, 2020,
4.7 by which time the project must be completed
4.8 and final products delivered.

4.9 **(e) Minnesota Wildflowers Online Botanical**
4.10 **Reference - Phase II**

4.11 \$270,000 the first year is from the trust fund
4.12 to the commissioner of natural resources for
4.13 an agreement with Minnesota Wildflowers
4.14 Information to continue surveying and imaging
4.15 plant species and publishing species profiles
4.16 for a plant identification reference Web site
4.17 available to the public and land managers.
4.18 Images acquired and information compiled
4.19 using these funds are for purposes of public
4.20 information available on a Web site. If the
4.21 organization is no longer able to maintain the
4.22 Web site, the organization must work with the
4.23 state and the University of Minnesota, Bell
4.24 Museum of Natural History, to ensure the
4.25 materials remain publicly available on the
4.26 Web. This appropriation is available until June
4.27 30, 2020, by which time the project must be
4.28 completed and final products delivered.

4.29 **(f) Drainage Records Modernization Cost Share**
4.30 **- Phase II**

4.31 \$540,000 the first year is from the trust fund
4.32 to the Board of Water and Soil Resources to
4.33 facilitate statewide modernization of public
4.34 drainage records under Minnesota Statutes,
4.35 chapter 103E, and integrate new specifications
4.36 into existing drainage records modernization

5.1 guidelines through matching cost-share grants
5.2 to drainage authorities. This appropriation is
5.3 available until June 30, 2020, by which time
5.4 the project must be completed and final
5.5 products delivered.

5.6 **(g) Groundwater Contamination Mapping**

5.7 \$400,000 the first year is from the trust fund
5.8 to the commissioner of the Pollution Control
5.9 Agency to develop a Web-based interactive
5.10 map of groundwater contamination to improve
5.11 protection of groundwater resources for
5.12 drinking water. This appropriation is available
5.13 until June 30, 2020, by which time the project
5.14 must be completed and final products
5.15 delivered.

5.16 **(h) Landslide Susceptibility, Mapping, and**
5.17 **Management Tools**

5.18 \$500,000 the first year is from the trust fund
5.19 to the Board of Regents of the University of
5.20 Minnesota to create landslide susceptibility
5.21 maps using a landslide inventory and
5.22 quantitative analysis of LiDAR to provide
5.23 tools and data for mitigation and restoration
5.24 to reduce impacts on water resources. This
5.25 appropriation is available until June 30, 2020,
5.26 by which time the project must be completed
5.27 and final products delivered.

5.28 **(i) Moose Calf Surveys and Monitoring**

5.29 \$348,000 the first year is from the trust fund
5.30 to the Board of Regents of the University of
5.31 Minnesota to assess the use of unmanned
5.32 aerial vehicles in natural resource monitoring
5.33 of moose populations and changes in
5.34 ecosystems.

5.35 **(j) Cedar Creek Natural Area Wolf**
5.36 **Recolonization Assessment**

6.1 \$398,000 the first year is from the trust fund
 6.2 to the Board of Regents of the University of
 6.3 Minnesota, Cedar Creek Ecosystem Science
 6.4 Reserve, to assess wolf recolonization impacts
 6.5 on wildlife, biodiversity, and natural resources
 6.6 and provide educational opportunities at Cedar
 6.7 Creek Ecosystem Science Reserve. This
 6.8 appropriation is available until June 30, 2020,
 6.9 by which time the project must be completed
 6.10 and final products delivered.

6.11 **(k) Effects of Wolf Predation on Beaver, Moose,**
 6.12 **and Deer**

6.13 \$293,000 the first year is from the trust fund
 6.14 to the commissioner of natural resources for
 6.15 an agreement with Voyageurs National Park
 6.16 to assess the effects of wolf predation on
 6.17 beaver, moose, and deer in the Border Lakes
 6.18 region. This appropriation is available until
 6.19 June 30, 2020, by which time the project must
 6.20 be completed and final products delivered.

6.21 <u>Subd. 4. Water Resources</u>	<u>-0-</u>	<u>2,584,000</u>	<u>-0-</u>
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6.22 **(a) Assessment of Household Chemicals and**
 6.23 **Herbicides in Rivers and Lakes**

6.24 \$236,000 the first year is from the trust fund
 6.25 to the Board of Regents of the University of
 6.26 Minnesota to quantify environmental levels
 6.27 of household chemical and herbicide
 6.28 ingredients in rivers and lakes and assess their
 6.29 potential to form toxic by-products.

6.30 **(b) Wastewater Nitrogen Removal Technology**
 6.31 **to Protect Water Quality**

6.32 \$450,000 the first year is from the trust fund
 6.33 to the Board of Regents of the University of
 6.34 Minnesota to develop a technology for
 6.35 inexpensive low-energy nitrogen removal in
 6.36 wastewater. This appropriation is subject to

7.1 Minnesota Statutes, section 116P.10. This
7.2 appropriation is available until June 30, 2020,
7.3 by which time the project must be completed
7.4 and final products delivered.

7.5 **(c) Water Quality Monitoring in Southeastern**
7.6 **Minnesota Trout Streams**

7.7 \$500,000 the first year is from the trust fund
7.8 to the Board of Trustees of Minnesota State
7.9 Colleges and Universities, Winona State
7.10 University, to develop a system of biological
7.11 monitoring for water quality protection of trout
7.12 streams in southeastern Minnesota. This
7.13 appropriation is available until June 30, 2020,
7.14 by which time the project must be completed
7.15 and final products delivered.

7.16 **(d) Reassessing Toxicity of Petrochemical Spills**
7.17 **on Groundwater and Surface Waters**

7.18 \$300,000 the first year is from the trust fund
7.19 to the commissioner of natural resources for
7.20 an agreement with the University of St.
7.21 Thomas to reassess long-term effects of oil
7.22 spills through the analysis of chemical
7.23 parameters related to oil degradation and
7.24 evaluate the impacts on aquatic species,
7.25 groundwater, and surface waters. This
7.26 appropriation is available until June 30, 2021,
7.27 by which time the project must be completed
7.28 and final products delivered.

7.29 **(e) Assessment of Water Quality for Reuse**

7.30 \$148,000 the first year is from the trust fund
7.31 to the Board of Regents of the University of
7.32 Minnesota to collect and analyze pathogen
7.33 data for evaluation of water reuse in order to
7.34 maximize water reuse and protect groundwater
7.35 and surface water quality.

8.1 **(f) Identification of Chemicals of Emerging**
8.2 **Concern in Minnesota Fish**

8.3 \$400,000 the first year is from the trust fund
8.4 to the commissioner of natural resources for
8.5 an agreement with the Grand Portage Band of
8.6 Lake Superior Chippewa to identify chemicals
8.7 of emerging concern and metals in fish, water,
8.8 and sediments from approximately 30 water
8.9 bodies in northeastern Minnesota used for
8.10 subsistence harvest and recreation. This
8.11 appropriation is available until June 30, 2020,
8.12 by which time the project must be completed
8.13 and final products delivered.

8.14 **(g) Techniques for Water Storage Estimates in**
8.15 **Central Minnesota**

8.16 \$250,000 the first year is from the trust fund
8.17 to the Board of Regents of the University of
8.18 Minnesota to improve water storage estimates
8.19 in groundwater, soil moisture, streams, lakes,
8.20 and wetlands through integration of satellite
8.21 monitoring and ground-based measurements
8.22 in central Minnesota. This appropriation is
8.23 available until June 30, 2020, by which time
8.24 the project must be completed and final
8.25 products delivered.

8.26 **(h) Assessing Release of Mercury and Sulfur on**
8.27 **Aquatic Communities**

8.28 \$300,000 the first year is from the trust fund
8.29 to the Board of Regents of the University of
8.30 Minnesota to determine the effects of
8.31 increased temperatures on the release of
8.32 mercury and sulfur from Minnesota peatlands
8.33 to predict impacts on aquatic communities and
8.34 fish health. This appropriation is available
8.35 until June 30, 2020, by which time the project

9.1 must be completed and final products
 9.2 delivered.

9.3 **Subd. 5. Environmental**
 9.4 **Education**

-0-

2,817,000

-0-

9.5 **(a) Connecting Youth to Minnesota Waterways**
 9.6 **through Outdoor Classrooms**

9.7 \$1,200,000 the first year is from the trust fund
 9.8 to the commissioner of natural resources for
 9.9 an agreement with Wilderness Inquiry to
 9.10 provide place-based environmental education
 9.11 science water experiences to approximately
 9.12 20,000 middle- and high-school students. This
 9.13 appropriation is available until June 30, 2020,
 9.14 by which time the project must be completed
 9.15 and final products delivered.

9.16 **(b) Increasing Diversity in Environmental**
 9.17 **Careers**

9.18 \$1,487,000 the first year is from the trust fund
 9.19 to the commissioner of natural resources in
 9.20 cooperation with Conservation Corps
 9.21 Minnesota and Iowa to encourage a diversity
 9.22 of students to pursue careers in environment
 9.23 and natural resources through internships and
 9.24 mentorships with the Department of Natural
 9.25 Resources, the Board of Water and Soil
 9.26 Resources, and the Pollution Control Agency.
 9.27 This appropriation is available until June 30,
 9.28 2022, by which time the project must be
 9.29 completed and final products delivered.

9.30 **(c) Increasing Residential Environmental**
 9.31 **Learning Center Opportunities**

9.32 \$130,000 the first year is from the trust fund
 9.33 to the commissioner of natural resources for
 9.34 an agreement with the Audubon Center of the
 9.35 North Woods to provide scholarship
 9.36 opportunities for a minimum of 1,000 students
 9.37 that are not currently served through other

10.1 residential environmental education learning
 10.2 centers. This appropriation is available until
 10.3 June 30, 2020, by which time the project must
 10.4 be completed and final products delivered.

10.5	<u>Subd. 6. Aquatic and</u>			
10.6	<u>Terrestrial Invasive Species</u>	<u>2,700,000</u>	<u>2,021,000</u>	<u>-0-</u>

10.7 **(a) Aquatic Invasive Species Research Center -**
 10.8 **Phase II**

10.9 \$2,700,000 in fiscal year 2017 is from the trust
 10.10 fund to the Board of Regents of the University
 10.11 of Minnesota to support the Minnesota
 10.12 Aquatic Invasive Species Research Center in
 10.13 finding solutions to Minnesota's aquatic
 10.14 invasive species problems through research,
 10.15 control, prevention, and early detection of
 10.16 existing and emerging aquatic invasive species
 10.17 threats. This appropriation is available until
 10.18 June 30, 2021, by which time the project must
 10.19 be completed and final products delivered.

10.20 **(b) Emerald Ash Borer Biocontrol - Phase III**

10.21 \$729,000 the first year is from the trust fund
 10.22 to the commissioner of agriculture in
 10.23 cooperation with the Board of Regents of the
 10.24 University of Minnesota to implement
 10.25 biocontrol of emerald ash borer using a newly
 10.26 approved parasitic wasp, assess the impact of
 10.27 the statewide program, and engage citizen
 10.28 volunteers. This appropriation is available
 10.29 until June 30, 2020, by which time the project
 10.30 must be completed and final products
 10.31 delivered.

10.32 **(c) Invasive Bighead and Silver Carp and Native**
 10.33 **Fish Evaluation - Phase II**

10.34 \$500,000 the first year is from the trust fund
 10.35 to the commissioner of natural resources to
 10.36 continue invasive bighead and silver carp

11.1 monitoring in the Mississippi River and
11.2 tributaries through advanced acoustic
11.3 telemetry and assess food chains to determine
11.4 how native species might prevent invasive
11.5 bighead and silver carp establishment. This
11.6 appropriation is available until June 30, 2020,
11.7 by which time the project must be completed
11.8 and final products delivered.

11.9 **(d) Adapting Stream Barriers to Remove**
11.10 **Common Carp**

11.11 \$301,000 the first year is from the trust fund
11.12 to the Board of Regents of the University of
11.13 Minnesota to conduct field tests at existing
11.14 barrier sites and laboratory experiments to
11.15 adapt a technology to remove common carp
11.16 from streams during carp spawning migrations
11.17 in Minnesota.

11.18 **(e) Tactical Invasive Plant Management Plan**
11.19 **Development**

11.20 \$296,000 the first year is from the trust fund
11.21 to the commissioner of agriculture in
11.22 cooperation with the Board of Regents of the
11.23 University of Minnesota to develop regional
11.24 priorities and an interagency action plan for
11.25 invasive plant management to protect and
11.26 promote habitat and native species. This
11.27 appropriation is available until June 30, 2020,
11.28 by which time the project must be completed
11.29 and final products delivered.

11.30 **(f) Maximize Value of Water Impoundments to**
11.31 **Wildlife**

11.32 \$195,000 the first year is from the trust fund
11.33 to the commissioner of natural resources for
11.34 an agreement with the National Audubon
11.35 Society, Minnesota office, to control invasive
11.36 hybrid cattails in water impoundments to

12.1 improve habitat quality for migrating and
 12.2 breeding birds. This appropriation is available
 12.3 until June 30, 2020, by which time the project
 12.4 must be completed and final products
 12.5 delivered.

12.6 **Subd. 7. Air Quality, Climate**
 12.7 **Change, and Renewable**
 12.8 **Energy**

-0- 1,700,000 -0-

12.9 **(a) Assessment of Urban Air Quality**

12.10 \$700,000 the first year is from the trust fund
 12.11 to the commissioner of the Pollution Control
 12.12 Agency to set up and operate a network of 250
 12.13 air pollution sensors at 50 sites to monitor fine
 12.14 particles, ozone, nitrogen oxides, sulfur
 12.15 dioxide, and carbon monoxide in each zip code
 12.16 for the cities of Minneapolis and St. Paul to
 12.17 assess variability of urban air pollution. This
 12.18 appropriation is available until June 30, 2020,
 12.19 by which time the project must be completed
 12.20 and final products delivered.

12.21 **(b) District Heating with Renewable Biomass at**
 12.22 **Camp Ripley Training Center**

12.23 \$1,000,000 the first year is from the trust fund
 12.24 to the commissioner of military affairs to
 12.25 install a 5,000,000-BTU centralized biomass
 12.26 boiler system utilizing the forestry
 12.27 management at Camp Ripley. This
 12.28 appropriation must be matched by at least
 12.29 \$900,000 of nonstate money and must be
 12.30 committed by December 31, 2017. This
 12.31 appropriation is available until June 30, 2020,
 12.32 by which time the project must be completed
 12.33 and final products delivered.

12.34 **Subd. 8. Methods to Protect**
 12.35 **or Restore Land, Water, and**
 12.36 **Habitat**

1,029,000 27,639,000 -0-

12.37 **(a) Optimizing the Nutrition of Roadside Plants**
 12.38 **for Pollinators**

13.1 \$815,000 the first year is from the trust fund
13.2 to the Board of Regents of the University of
13.3 Minnesota in cooperation with the
13.4 Departments of Agriculture, Natural
13.5 Resources, and Transportation and the Board
13.6 of Water and Soil Resources to produce
13.7 site-specific recommendations for roadside
13.8 plantings in Minnesota to maximize the
13.9 nutritional health of native bees and monarch
13.10 butterflies that rely on roadside habitat
13.11 corridors. This appropriation is available until
13.12 June 30, 2020, by which time the project must
13.13 be completed and final products delivered.

13.14 **(b) Promoting Conservation Biocontrol of**
13.15 **Beneficial Insects**

13.16 \$400,000 the first year is from the trust fund
13.17 to the Board of Regents of the University of
13.18 Minnesota to research integrated pest
13.19 management strategies, including insecticide
13.20 alternatives, and overwintering habitat sites
13.21 to conserve beneficial insects, including bees,
13.22 butterflies, and predator insects. The integrated
13.23 pest management strategies will be used to
13.24 develop best management practices to increase
13.25 pollinator and beneficial insect diversity and
13.26 abundance in various restored habitats. This
13.27 appropriation is available until June 30, 2020,
13.28 by which time the project must be completed
13.29 and final products delivered.

13.30 **(c) Evaluating the Use of Bison to Restore and**
13.31 **Preserve Savanna Habitat**

13.32 \$388,000 the first year is from the trust fund
13.33 to the Board of Regents of the University of
13.34 Minnesota, Cedar Creek Ecosystem Science
13.35 Reserve, to research combined bison grazing
13.36 and fire management strategies to restore

14.1 Minnesota's oak savanna ecosystems. This
14.2 appropriation is available until June 30, 2020,
14.3 by which time the project must be completed
14.4 and final products delivered.

14.5 **(d) State Park Pollinator Habitat Restoration**

14.6 \$672,000 the first year is from the trust fund
14.7 to the commissioner of natural resources to
14.8 restore at least 520 acres of monarch butterfly
14.9 and other native pollinator habitats in at least
14.10 seven state parks in the Minnesota Prairie
14.11 Conservation Plan core areas and establish
14.12 pollinator plantings and interpretive exhibits
14.13 in at least ten state parks. This appropriation
14.14 is available until June 30, 2021, by which time
14.15 the project must be completed and final
14.16 products delivered.

14.17 **(e) Enhancing Spawning Habitat Restoration in**
14.18 **Minnesota Lakes**

14.19 \$294,000 the first year is from the trust fund
14.20 to the Board of Regents of the University of
14.21 Minnesota, St. Anthony Falls Laboratory, in
14.22 cooperation with the Department of Natural
14.23 Resources to enhance efforts to increase
14.24 natural reproduction of fish in Minnesota lakes
14.25 by assessing wave energy impacts on
14.26 near-shore spawning habitat. This
14.27 appropriation is available until June 30, 2020,
14.28 by which time the project must be completed
14.29 and final products delivered.

14.30 **(f) Prescribed-Fire Management for Roadside**
14.31 **Prairies**

14.32 \$345,000 the first year is from the trust fund
14.33 to the commissioner of transportation to
14.34 enhance the prescribed-fire program to manage
14.35 roadsides to protect and increase biodiversity
14.36 and pollinator habitat. This appropriation is

15.1 available until June 30, 2020, by which time
15.2 the project must be completed and final
15.3 products delivered.

15.4 **(g) Minnesota Bee and Beneficial Species Habitat**
15.5 **Restoration**

15.6 \$732,000 the first year is from the trust fund
15.7 to the commissioner of natural resources for
15.8 an agreement with Pheasants Forever in
15.9 cooperation with the University of Minnesota
15.10 and the Minnesota Honey Producers
15.11 Association to restore approximately 800 acres
15.12 of permanently protected land to enhance bee,
15.13 butterfly, beneficial insect, and grassland bird
15.14 habitats. This appropriation is available until
15.15 June 30, 2021, by which time the project must
15.16 be completed and final products delivered.

15.17 **(h) Mississippi and Vermillion Rivers**
15.18 **Restoration of Prairie, Savanna, and Forest**
15.19 **Habitat - Phase X**

15.20 \$213,000 the first year is from the trust fund
15.21 to the commissioner of natural resources for
15.22 an agreement with Friends of the Mississippi
15.23 River for continued implementation of the
15.24 Metro Conservation Corridors partnership by
15.25 improving at least 80 acres of habitat at
15.26 approximately seven sites along the
15.27 Mississippi River and Vermillion River
15.28 corridors. Expenditures are limited to the
15.29 identified project corridor areas as defined in
15.30 the work plan. A list of proposed restoration
15.31 sites must be provided as part of the required
15.32 work plan. Plant and seed materials must
15.33 follow the Board of Water and Soil Resources'
15.34 native vegetation establishment and
15.35 enhancement guidelines. This appropriation
15.36 is available until June 30, 2020, by which time

16.1 the project must be completed and final
16.2 products delivered.

16.3 **(i) Economic Assessment of Precision**
16.4 **Conservation and Agriculture**

16.5 \$400,000 the first year is from the trust fund
16.6 to the commissioner of natural resources for
16.7 an agreement with Pheasants Forever to
16.8 demonstrate a new approach to promote
16.9 conservation practices utilizing
16.10 return-on-investment analysis and identifying
16.11 revenue-negative acres on agricultural land to
16.12 assist farmers in implementing conservation
16.13 practices that will provide environmental and
16.14 economic benefits. This appropriation is
16.15 available until June 30, 2020, by which time
16.16 the project must be completed and final
16.17 products delivered.

16.18 **(j) Conservation Reserve Enhancement Program**
16.19 **(CREP) Outreach and Implementation**

16.20 \$6,000,000 the first year is from the trust fund
16.21 to the Board of Water and Soil Resources to
16.22 fund staff at soil and water conservation
16.23 districts to assist landowners participating in
16.24 the federal Conservation Reserve
16.25 Enhancement Program. This appropriation is
16.26 contingent upon receipt of federal funds for
16.27 implementation. This appropriation is
16.28 available until June 30, 2020, by which time
16.29 the project must be completed and final
16.30 products delivered.

16.31 **(k) Conservation Reserve Enhancement**
16.32 **Program (CREP)**

16.33 \$1,029,000 in fiscal year 2017 and
16.34 \$17,380,000 the first year are from the trust
16.35 fund to the Board of Water and Soil Resources
16.36 to acquire permanent conservation easements

17.1 and restore land under Minnesota Statutes,
 17.2 section 103F.515. This work may be done in
 17.3 cooperation with the federal Conservation
 17.4 Reserve Enhancement Program. This
 17.5 appropriation is available until June 30, 2021,
 17.6 by which time the project must be completed
 17.7 and final products delivered.

17.8 **Subd. 9. Land Acquisition,**
 17.9 **Habitat, and Recreation**

999,000

5,858,000

-0-

17.10 **(a) Minneopa State Park Land Acquisition**

17.11 \$500,000 the first year is from the trust fund
 17.12 to the commissioner of natural resources to
 17.13 acquire 135 acres of land located within the
 17.14 statutory boundary of Minneopa State Park.
 17.15 A list of proposed acquisitions must be
 17.16 provided as part of the required work plan.
 17.17 This appropriation is available until June 30,
 17.18 2020, by which time the project must be
 17.19 completed and final products delivered.

17.20 **(b) Minnesota State Trails Acquisition,**
 17.21 **Development, and Enhancement**

17.22 \$999,000 in fiscal year 2017 and \$39,000 the
 17.23 first year are from the trust fund to the
 17.24 commissioner of natural resources for state
 17.25 trail acquisition, development, and
 17.26 enhancement in southern Minnesota. A
 17.27 proposed list of trail projects on authorized
 17.28 state trails must be provided as part of the
 17.29 required work plan. This appropriation is
 17.30 available until June 30, 2020, by which time
 17.31 the project must be completed and final
 17.32 products delivered.

17.33 **(c) Leech Lake Acquisition**

17.34 \$1,500,000 the first year is from the trust fund
 17.35 to the commissioner of natural resources for
 17.36 an agreement with the Leech Lake Band of

18.1 Ojibwe to acquire approximately 45 acres,
18.2 including 0.67 miles of shoreline of
18.3 high-quality aquatic and wildlife habitat at the
18.4 historic meeting place between Henry
18.5 Schoolcraft and the Anishinabe people. The
18.6 land must be open to public use including
18.7 hunting and fishing. The band must provide a
18.8 commitment that land will not be put in a
18.9 federal trust through the Bureau of Indian
18.10 Affairs.

18.11 **(d) Mesabi Trail Development**

18.12 \$2,269,000 the first year is from the trust fund
18.13 to the commissioner of natural resources for
18.14 an agreement with the St. Louis and Lake
18.15 Counties Regional Railroad Authority for
18.16 engineering and constructing segments of the
18.17 Mesabi Trail. This appropriation is available
18.18 until June 30, 2020, by which time the project
18.19 must be completed and final products
18.20 delivered.

18.21 **(e) Tower Trailhead Boat Landing and Habitat**
18.22 **Improvement - Phase II**

18.23 \$600,000 the first year is from the trust fund
18.24 to the commissioner of natural resources for
18.25 an agreement with the city of Tower to
18.26 construct a trailhead and boat landing and
18.27 restore vegetative habitat on city-owned
18.28 property. Plant and seed materials must follow
18.29 the Board of Water and Soil Resources' native
18.30 vegetation establishment and enhancement
18.31 guidelines. This appropriation is available until
18.32 June 30, 2020, by which time the project must
18.33 be completed and final products delivered.

18.34 **(f) Land Acquisition for Voyageurs National**
18.35 **Park Crane Lake Visitors Center**

19.1 \$950,000 the first year is from the trust fund
 19.2 to the commissioner of natural resources for
 19.3 an agreement with the town of Crane Lake, in
 19.4 partnership with Voyageurs National Park and
 19.5 the Department of Natural Resources, to
 19.6 acquire approximately 30 acres to be used for
 19.7 a visitor center and campground. Income
 19.8 generated by the campground may be used to
 19.9 support the facility.

19.10 **Subd. 10. Administration and**
 19.11 **Contract Agreement**
 19.12 **Reimbursement**

-0-	1,340,000	-0-
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19.13 **(a) Contract Agreement Reimbursement**

19.14 \$135,000 the first year is from the trust fund
 19.15 to the commissioner of natural resources, at
 19.16 the direction of the Legislative-Citizen
 19.17 Commission on Minnesota Resources, for
 19.18 expenses incurred for contract agreement
 19.19 reimbursement for the agreements specified
 19.20 in this section. The commissioner shall provide
 19.21 documentation to the Legislative-Citizen
 19.22 Commission on Minnesota Resources on the
 19.23 expenditure of these funds.

19.24 **(b) Legislative-Citizen Commission on**
 19.25 **Minnesota Resources (LCCMR) Administration**

19.26 \$1,200,000 the first year is from the trust fund
 19.27 to the Legislative-Citizen Commission on
 19.28 Minnesota Resources for administration in
 19.29 fiscal years 2018 and 2019 as provided in
 19.30 Minnesota Statutes, section 116P.09,
 19.31 subdivision 5.

19.32 **(c) Legislative Coordinating Commission Legacy**
 19.33 **Web site**

19.34 \$5,000 the first year is from the trust fund to
 19.35 the Legislative Coordinating Commission for
 19.36 the Web site required in Minnesota Statutes,
 19.37 section 3.303, subdivision 10.

20.1 **Subd. 11. Availability of Appropriations**

20.2 Money appropriated in this section may not

20.3 be spent on activities unless they are directly

20.4 related to and necessary for a specific

20.5 appropriation and are specified in the work

20.6 plan approved by the Legislative-Citizen

20.7 Commission on Minnesota Resources. Money

20.8 appropriated in this section must not be spent

20.9 on indirect costs or other institutional overhead

20.10 charges that are not directly related to and

20.11 necessary for a specific appropriation. Costs

20.12 that are directly related to and necessary for

20.13 an appropriation, including financial services,

20.14 human resources, information services, rent,

20.15 and utilities, are eligible only if the costs can

20.16 be clearly justified and individually

20.17 documented specific to the appropriation's

20.18 purpose and would not be generated by the

20.19 recipient but for receipt of the appropriation.

20.20 No broad allocations for costs in either dollars

20.21 or percentages are allowed. Unless otherwise

20.22 provided, the amounts in this section are

20.23 available until June 30, 2019, when projects

20.24 must be completed and final products

20.25 delivered. For acquisition of real property, the

20.26 appropriations in this section are available for

20.27 an additional fiscal year if a binding contract

20.28 for acquisition of the real property is entered

20.29 into before the expiration date of the

20.30 appropriation. If a project receives a federal

20.31 grant, the time period of the appropriation is

20.32 extended to equal the federal grant period.

20.33 **Subd. 12. Data Availability Requirements**

20.34 Data collected by the projects funded under

20.35 this section must conform to guidelines and

20.36 standards adopted by MN.IT Services. Spatial

21.1 data must also conform to additional
21.2 guidelines and standards designed to support
21.3 data coordination and distribution that have
21.4 been published by the Minnesota Geospatial
21.5 Information Office. Descriptions of spatial
21.6 data must be prepared as specified in the state's
21.7 geographic metadata guideline and must be
21.8 submitted to the Minnesota Geospatial
21.9 Information Office. All data must be
21.10 accessible and free to the public unless made
21.11 private under the Data Practices Act,
21.12 Minnesota Statutes, chapter 13. To the extent
21.13 practicable, summary data and results of
21.14 projects funded under this section should be
21.15 readily accessible on the Internet and
21.16 identified as having received funding from the
21.17 environment and natural resources trust fund.
21.18 **Subd. 13. Project Requirements**
21.19 **(a) As a condition of accepting an**
21.20 **appropriation under this section, an agency or**
21.21 **entity receiving an appropriation or a party to**
21.22 **an agreement from an appropriation must**
21.23 **comply with paragraphs (b) to (l) and**
21.24 **Minnesota Statutes, chapter 116P, and must**
21.25 **submit a work plan and annual or semiannual**
21.26 **progress reports in the form determined by the**
21.27 **Legislative-Citizen Commission on Minnesota**
21.28 **Resources for any project funded in whole or**
21.29 **in part with funds from the appropriation.**
21.30 **Modifications to the approved work plan and**
21.31 **budget expenditures must be made through**
21.32 **the amendment process established by the**
21.33 **Legislative-Citizen Commission on Minnesota**
21.34 **Resources.**

22.1 (b) A recipient of money appropriated in this
22.2 section that conducts a restoration using funds
22.3 appropriated in this section must use native
22.4 plant species according to the Board of Water
22.5 and Soil Resources' native vegetation
22.6 establishment and enhancement guidelines
22.7 and include an appropriate diversity of native
22.8 species selected to provide habitat for
22.9 pollinators throughout the growing season as
22.10 required under Minnesota Statutes, section
22.11 84.973.

22.12 (c) For all restorations conducted with money
22.13 appropriated under this section, a recipient
22.14 must prepare an ecological restoration and
22.15 management plan that, to the degree
22.16 practicable, is consistent with the highest
22.17 quality conservation and ecological goals for
22.18 the restoration site. Consideration should be
22.19 given to soil, geology, topography, and other
22.20 relevant factors that would provide the best
22.21 chance for long-term success and durability
22.22 of the restoration project. The plan must
22.23 include the proposed timetable for
22.24 implementing the restoration, including site
22.25 preparation, establishment of diverse plant
22.26 species, maintenance, and additional
22.27 enhancement to establish the restoration;
22.28 identify long-term maintenance and
22.29 management needs of the restoration and how
22.30 the maintenance, management, and
22.31 enhancement will be financed; and take
22.32 advantage of the best available science and
22.33 include innovative techniques to achieve the
22.34 best restoration.

- 23.1 (d) An entity receiving an appropriation in this
23.2 section for restoration activities must provide
23.3 an initial restoration evaluation at the
23.4 completion of the appropriation and an
23.5 evaluation three years beyond the completion
23.6 of the expenditure. Restorations must be
23.7 evaluated relative to the stated goals and
23.8 standards in the restoration plan, current
23.9 science, and, when applicable, the Board of
23.10 Water and Soil Resources' native vegetation
23.11 establishment and enhancement guidelines.
23.12 The evaluation must determine whether the
23.13 restorations are meeting planned goals,
23.14 identify any problems with the implementation
23.15 of the restorations, and, if necessary, give
23.16 recommendations on improving restorations.
23.17 The evaluation must be focused on improving
23.18 future restorations.
- 23.19 (e) All restoration and enhancement projects
23.20 funded with money appropriated in this section
23.21 must be on land permanently protected by a
23.22 conservation easement or public ownership.
- 23.23 (f) A recipient of money from an appropriation
23.24 under this section must give consideration to
23.25 contracting with Conservation Corps
23.26 Minnesota for contract restoration and
23.27 enhancement services.
- 23.28 (g) All conservation easements acquired with
23.29 money appropriated under this section must:
- 23.30 (1) be permanent;
23.31 (2) specify the parties to an easement in the
23.32 easement;
23.33 (3) specify all of the provisions of an
23.34 agreement that are permanent;

- 24.1 (4) be sent to the Legislative-Citizen
24.2 Commission on Minnesota Resources in an
24.3 electronic format at least ten business days
24.4 before closing;
- 24.5 (5) include a long-term monitoring and
24.6 enforcement plan and funding for monitoring
24.7 and enforcing the easement agreement; and
- 24.8 (6) include requirements in the easement
24.9 document to address specific groundwater and
24.10 surface water quality protection activities such
24.11 as keeping water on the landscape, reducing
24.12 nutrient and contaminant loading, protecting
24.13 groundwater, and not permitting artificial
24.14 hydrological modifications.
- 24.15 (h) For any acquisition of lands or interest in
24.16 lands, a recipient of money appropriated under
24.17 this section must not agree to pay more than
24.18 100 percent of the appraised value for a parcel
24.19 of land using this money to complete the
24.20 purchase, in part or in whole, except that up
24.21 to ten percent above the appraised value may
24.22 be allowed to complete the purchase, in part
24.23 or in whole, using this money if permission is
24.24 received in advance of the purchase from the
24.25 Legislative-Citizen Commission on Minnesota
24.26 Resources.
- 24.27 (i) For any acquisition of land or interest in
24.28 land, a recipient of money appropriated under
24.29 this section must give priority to high-quality
24.30 natural resources or conservation lands that
24.31 provide natural buffers to water resources.
- 24.32 (j) For new lands acquired with money
24.33 appropriated under this section, a recipient
24.34 must prepare an ecological restoration and

25.1 management plan in compliance with
25.2 paragraph (c), including sufficient funding for
25.3 implementation unless the work plan addresses
25.4 why a portion of the money is not necessary
25.5 to achieve a high-quality restoration.

25.6 (k) To ensure public accountability for the use
25.7 of public funds, within 60 days of the
25.8 transaction, a recipient of money appropriated
25.9 under this section must provide to the
25.10 Legislative-Citizen Commission on Minnesota
25.11 Resources documentation of the selection
25.12 process used to identify parcels acquired and
25.13 provide documentation of all related
25.14 transaction costs, including but not limited to
25.15 appraisals, legal fees, recording fees,
25.16 commissions, other similar costs, and
25.17 donations. This information must be provided
25.18 for all parties involved in the transaction. The
25.19 recipient must also report to the
25.20 Legislative-Citizen Commission on Minnesota
25.21 Resources any difference between the
25.22 acquisition amount paid to the seller and the
25.23 state-certified or state-reviewed appraisal, if
25.24 a state-certified or state-reviewed appraisal
25.25 was conducted.

25.26 (l) A recipient of an appropriation from the
25.27 trust fund under this section must acknowledge
25.28 financial support from the environment and
25.29 natural resources trust fund in project
25.30 publications, signage, and other public
25.31 communications and outreach related to work
25.32 completed using the appropriation.
25.33 Acknowledgment may occur, as appropriate,
25.34 through use of the trust fund logo or inclusion
25.35 of language attributing support from the trust

26.1 fund. Each direct recipient of money
26.2 appropriated in this section, as well as each
26.3 recipient of a grant awarded pursuant to this
26.4 section, must satisfy all reporting and other
26.5 requirements incumbent upon constitutionally
26.6 dedicated funding recipients as provided in
26.7 Minnesota Statutes, section 3.303, subdivision
26.8 10, and chapter 116P.

26.9 **Subd. 14. Payment Conditions and Capital**
26.10 **Equipment Expenditures**

26.11 (a) All agreements, grants, or contracts
26.12 referred to in this section must be administered
26.13 on a reimbursement basis unless otherwise
26.14 provided in this section. Notwithstanding
26.15 Minnesota Statutes, section 16A.41,
26.16 expenditures made on or after July 1, 2017,
26.17 or the date the work plan is approved,
26.18 whichever is later, are eligible for
26.19 reimbursement unless otherwise provided in
26.20 this section. Periodic payments must be made
26.21 upon receiving documentation that the
26.22 deliverable items articulated in the approved
26.23 work plan have been achieved, including
26.24 partial achievements as evidenced by approved
26.25 progress reports. Reasonable amounts may be
26.26 advanced to projects to accommodate cash
26.27 flow needs or match federal money. The
26.28 advances must be approved as part of the work
26.29 plan. No expenditures for capital equipment
26.30 are allowed unless expressly authorized in the
26.31 project work plan.

26.32 (b) Single-source contracts as specified in the
26.33 approved work plan are allowed.

26.34 **Subd. 15. Purchase of Recycled and Recyclable**
26.35 **Materials**

27.1 A political subdivision, public or private
27.2 corporation, or other entity that receives an
27.3 appropriation under this section must use the
27.4 appropriation in compliance with Minnesota
27.5 Statutes, section 16C.0725, regarding purchase
27.6 of recycled, repairable, and durable materials
27.7 and Minnesota Statutes, section 16C.073,
27.8 regarding purchase and use of paper stock and
27.9 printing.

27.10 **Subd. 16. Energy Conservation and Sustainable**
27.11 **Building Guidelines**

27.12 A recipient to whom an appropriation is made
27.13 under this section for a capital improvement
27.14 project must ensure that the project complies
27.15 with the applicable energy conservation and
27.16 sustainable building guidelines and standards
27.17 contained in law, including Minnesota
27.18 Statutes, sections 16B.325, 216C.19, and
27.19 216C.20, and rules adopted under those
27.20 sections. The recipient may use the energy
27.21 planning, advocacy, and State Energy Office
27.22 units of the Department of Commerce to
27.23 obtain information and technical assistance
27.24 on energy conservation and alternative energy
27.25 development relating to planning and
27.26 constructing the capital improvement project.

27.27 **Subd. 17. Accessibility**

27.28 Structural and nonstructural facilities must
27.29 meet the design standards in the Americans
27.30 with Disabilities Act (ADA) accessibility
27.31 guidelines.

27.32 **Subd. 18. Carryforward; Extension**

27.33 (a) The availability of the appropriations for
27.34 the following projects are extended to June
27.35 30, 2018:

- 28.1 (1) Laws 2014, chapter 226, section 2,
28.2 subdivision 3, paragraph (d), Evaluation of
28.3 Wastewater Nitrogen and Estrogen Treatment
28.4 Options;
- 28.5 (2) Laws 2014, chapter 226, section 2,
28.6 subdivision 4, paragraph (b), Bioacoustics to
28.7 Detect, Deter, and Eliminate Silver Carp;
- 28.8 (3) Laws 2014, chapter 226, section 2,
28.9 subdivision 4, paragraph (f), Brown
28.10 Marmorated Stink Bug Monitoring and
28.11 Biocontrol Evaluation;
- 28.12 (4) Laws 2014, chapter 226, section 2,
28.13 subdivision 6, paragraph (h), Nutrient Capture
28.14 through Water Management and Biomass
28.15 Harvesting;
- 28.16 (5) Laws 2014, chapter 226, section 2,
28.17 subdivision 7, paragraph (b), Metropolitan
28.18 Regional Park System Acquisition;
- 28.19 (6) Laws 2015, chapter 76, section 2,
28.20 subdivision 3, paragraph (l), Genetic and
28.21 Camera Techniques to Estimate Carnivore
28.22 Populations;
- 28.23 (7) Laws 2015, chapter 76, section 2,
28.24 subdivision 7, paragraph (c), Building
28.25 Deconstruction to Reduce Greenhouse Gas
28.26 Emissions and Solid Waste; and
- 28.27 (8) Laws 2015, chapter 76, section 2,
28.28 subdivision 10, Emerging Issues Account.
- 28.29 (b) The availability of the appropriations for
28.30 the following projects are extended to June
28.31 30, 2019:
- 28.32 (1) Laws 2014, chapter 226, section 2,
28.33 subdivision 10, paragraph (c),

29.1 Legislative-Citizen Commission on Minnesota
29.2 Resources (LCCMR), as extended by Laws
29.3 2016, chapter 186, section 2, subdivision 18,
29.4 clause (8);
29.5 (2) Laws 2015, chapter 76, section 2,
29.6 subdivision 7, paragraph (a), Renewable and
29.7 Sustainable Fertilizers Produced Locally;
29.8 (3) Laws 2015, chapter 76, section 2,
29.9 subdivision 8, paragraph (h), Improving
29.10 Community Forests Through Citizen
29.11 Engagement; and
29.12 (4) Laws 2016, chapter 186, section 2,
29.13 subdivision 9, paragraph (b), Minnesota Point
29.14 Pine Forest Scientific and Natural Area
29.15 Acquisition.

29.16 Sec. 3. **[15.0541] NO NET GAIN; COUNTIES.**

29.17 (a) A county located in whole or in part north of U.S. Highway 2 may file a no net gain
29.18 of state lands policy, adopted by the county board, with the commissioner of natural
29.19 resources. The policy must express the county's policy against the acquisition of additional
29.20 land by the state within the county.

29.21 (b) When a state agency acquires private land within a county that has filed a no net
29.22 gain of state lands policy under this section, the commissioner of natural resources, for lands
29.23 acquired by the commissioner, or the commissioner of administration, for lands acquired
29.24 by another state agency, must sell to a private individual or entity an equal or greater number
29.25 of acres of land within the county. The value of the land sold must be of at least substantially
29.26 equal value of the lands acquired. Notwithstanding section 94.10, subdivision 2, if lands
29.27 being offered for sale to comply with this section remain unsold after a public sale offering,
29.28 the lands may be sold for less than the appraised value. Land sold under this paragraph must
29.29 not be sold for less than 75 percent of the appraised value.

29.30 (c) For the purposes of this section the following terms have the meanings given:

29.31 (1) "agency" has the meaning given under section 16B.01, subdivision 2, excluding the
29.32 Department of Transportation, and excluding the Minnesota State Colleges and Universities.

30.1 (2) "substantially equal value" has the meaning given under section 94.343, subdivision
30.2 3, paragraph (b).

30.3 Sec. 4. Minnesota Statutes 2016, section 116P.05, subdivision 2, is amended to read:

30.4 Subd. 2. **Duties.** (a) The commission shall recommend an annual or biennial legislative
30.5 bill for appropriations from the environment and natural resources trust fund and shall adopt
30.6 a strategic plan as provided in section 116P.08. Approval of the recommended legislative
30.7 bill requires an affirmative vote of at least 12 members of the commission.

30.8 (b) It is a condition of acceptance of the appropriations made from the Minnesota
30.9 environment and natural resources trust fund, and oil overcharge money under section 4.071,
30.10 subdivision 2, that the agency or entity receiving the appropriation must submit a work plan
30.11 and annual or semiannual progress reports in the form determined by the Legislative-Citizen
30.12 Commission on Minnesota Resources, and comply with applicable reporting requirements
30.13 under section 116P.16. None of the money provided may be spent unless the commission
30.14 has approved the pertinent work plan. Modifications to the approved work plan and budget
30.15 expenditures shall be made through the amendment process established by the commission.
30.16 The commission shall ensure that the expenditures and outcomes described in the work plan
30.17 for appropriations funded by the environment and natural resources trust fund are met.

30.18 (c) The peer review procedures created under section 116P.08 must also be used to
30.19 review, comment, and report to the commission on research proposals applying for an
30.20 appropriation from the oil overcharge money under section 4.071, subdivision 2.

30.21 (d) The commission may adopt operating procedures to fulfill its duties under this chapter.

30.22 (e) As part of the operating procedures, the commission shall:

30.23 (1) ensure that members' expectations are to participate in all meetings related to funding
30.24 decision recommendations;

30.25 (2) recommend adequate funding for increased citizen outreach and communications
30.26 for trust fund expenditure planning;

30.27 (3) allow administrative expenses as part of individual project expenditures based on
30.28 need;

30.29 (4) provide for project outcome evaluation;

30.30 (5) keep the grant application, administration, and review process as simple as possible;
30.31 and

31.1 (6) define and emphasize the leveraging of additional sources of money that project
31.2 proposers should consider when making trust fund proposals.

31.3 Sec. 5. Minnesota Statutes 2016, section 116P.17, subdivision 1, is amended to read:

31.4 Subdivision 1. **Commissioner approval.** (a) A recipient of an appropriation from the
31.5 trust fund who acquires an interest in real property must receive written approval from the
31.6 commissioner of natural resources prior to the acquisition, if the interest is acquired in whole
31.7 or in part with the appropriation. A recipient must request the commissioner's approval at
31.8 least ten business days before the proposed acquisition. When a recipient requests approval
31.9 under this subdivision, the recipient must simultaneously submit the same information to
31.10 the commission. Conservation easements to be held by the Board of Water and Soil
31.11 Resources, acquisitions of land in the metropolitan regional recreation open space systems
31.12 as defined under section 473.351, subdivision 1, with appropriations to the Metropolitan
31.13 Council, and acquisitions specifically identified in appropriation laws are not subject to
31.14 commissioner approval under this section.

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

31.17 (1) is identified as a high priority by the commissioner and meets the objectives and
31.18 criteria identified in the applicable acquisition plan for the intended management status of
31.19 the property; or

31.20 (2) is otherwise identified by the commissioner as a priority for state financing.