

LCCMR 2012-2013 REQUEST FOR PROPOSALS (RFP)
ENVIRONMENT AND NATURAL RESOURCES TRUST FUND (ENRTF)
ADDITIONAL PROPOSAL REQUIREMENTS

ACCESSIBILITY

Structural and nonstructural facilities must meet the design standards in the Americans with Disability Act (ADA) accessibility guidelines.

DATA AVAILABILITY REQUIREMENTS

Data collected by the projects funded under this section that have value for planning and management of natural resource, emergency preparedness, and infrastructure investments must conform to the enterprise information architecture developed by the Office of Enterprise Technology. Spatial data must conform to geographic information system guidelines and standards outlined in that architecture and adopted by the Minnesota Geographic Data Clearinghouse at the Land Management Information Center. A description of these data that adheres to the Office of Enterprise Technology geographic metadata standards must be submitted to the Land Management Information Center to be made available online through the clearinghouse and the data must be accessible and free to the public unless made private under the Data Practices Act, Minnesota Statutes, chapter 13.

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

ENERGY CONSERVATION AND SUSTAINABLE BUILDING GUIDELINES

A recipient to whom an appropriation is made in this section for a capital improvement project shall ensure that the project complies with the applicable energy conservation and sustainable building guidelines and standards contained in law, including Minnesota Statutes, sections 16B.325, 216C.19, and 216C.20, and rules adopted thereunder. The recipient may use the energy planning, advocacy, and State Energy Office units of the Department of Commerce to obtain information and technical assistance on energy conservation and alternative energy development relating to the planning and construction of the capital improvement project.

PURCHASE OF RECYCLED AND RECYCLABLE MATERIALS

A political subdivision, public or private corporation, or other entity that receives an appropriation in this section must use the appropriation in compliance with Minnesota Statutes, sections 16B.121 and 16B.122, requiring the purchase of recycled, repairable, and durable materials; the purchase of uncoated paper stock; and the use of soy-based ink.

116P.10 ROYALTIES, COPYRIGHTS, PATENTS, AND SALE OF PRODUCTS AND ASSETS

- (a) This section applies to projects supported by the trust fund and the oil overcharge money referred to in section 4.071, subdivision 2, each of which is referred to in this section as a "fund."
- (b) The fund owns and shall take title to the percentage of a royalty, copyright, or patent resulting from a project supported by the fund equal to the percentage of the project's total funding provided by the fund. Cash receipts resulting from a royalty, copyright, or patent, or the sale of the fund's rights to a royalty, copyright, or patent, must be credited immediately to the principal of the fund. Receipts from Minnesota future resources fund projects must be credited to the trust fund. The commission may include in its annual legislative bill a recommendation to relinquish the ownership or rights to a royalty, copyright, or patent resulting from a project supported by the fund to the project's proposer when the amount of the original grant or loan, plus interest, has been repaid to the fund.
- (c) If a project supported by the fund results in net income from the sale of products or assets developed or acquired by an appropriation from the fund, the appropriation must be repaid to the fund in an amount equal to the percentage of the project's total funding provided by the fund. The commission may include in its annual legislative bill a recommendation to relinquish the income if a plan is approved for reinvestment of the income in the project or when the amount of the original grant or loan, plus interest, has been repaid to the fund.

LAND ACQUISITION

116P.15 LAND ACQUISITION RESTRICTIONS

Subdivision 1. **Scope.** A recipient of an appropriation from the trust fund or the Minnesota future resources fund who acquires an interest in real property with the appropriation must comply with this section. If the recipient fails to comply with the terms of this section, ownership of the interest in real property transfers to the state. For the purposes of this section, "interest in real property" includes, but is not limited to, an easement or fee title to property.

Subd. 2. Restrictions; modification procedure.

(a) An interest in real property acquired with an appropriation from the trust fund or the Minnesota future resources fund must be used in perpetuity or for the specific term of an easement interest for the purpose for which the appropriation was made.

(b) A recipient of funding who acquires an interest in real property subject to this section may not alter the intended use of the interest in real property or convey any interest in the real property acquired with the appropriation without the prior review and approval of the commission. The commission shall establish procedures to review requests from recipients to alter the use of or convey an interest in real property. These procedures shall allow for the replacement of the interest in real property with another interest in real property meeting the following criteria:

- (1) the interest is at least equal in fair market value, as certified by the commissioner of natural resources, to the interest being replaced; and
- (2) the interest is in a reasonably equivalent location, and has a reasonably equivalent usefulness compared to the interest being replaced.

(c) A recipient of funding who acquires an interest in real property under paragraph (a) must separately record a notice of funding restrictions in the appropriate local government office where the conveyance of the interest in real property is filed. The notice of funding agreement must contain:

- (1) a legal description of the interest in real property covered by the funding agreement;
- (2) a reference to the underlying funding agreement;
- (3) a reference to this section; and
- (4) the following statement:

"This interest in real property shall be administered in accordance with the terms, conditions, and purposes of the grant agreement or work program controlling the acquisition of the property. The interest in real property, or any portion of the interest in real property, shall not be sold, transferred, pledged, or otherwise disposed of or further encumbered without obtaining the prior written approval of the Legislative-Citizen Commission on Minnesota Resources or its successor. If the holder of the interest in real property fails to comply with the terms and conditions of the grant agreement or work program, ownership of the interest in real property shall transfer to this state."

History: *1Sp2001 c 2 s 141; 2002 c 225 s 4; 2006 c 243 s 21*

116P.16 REAL PROPERTY INTEREST REPORT

By December 1 each year, a recipient of an appropriation from the trust fund, that is used for the acquisition of an interest in real property, must submit annual reports on the status of the real property to the Legislative-Citizen Commission on Minnesota Resources in a form determined by the commission. The responsibility for reporting under this section may be transferred by the recipient of the appropriation to another person who holds the interest in the real property. To complete the transfer of reporting responsibility, the recipient of the appropriation must:

- (1) inform the person to whom the responsibility is transferred of that person's reporting responsibility;
- (2) inform the person to whom the responsibility is transferred of the property restrictions under section 116P.15; and
- (3) provide written notice to the commission of the transfer of reporting responsibility, including contact information for the person to whom the responsibility is transferred.

After the transfer, the person who holds the interest in the real property is responsible for reporting requirements under this section.

History: *1Sp2005 c 1 art 2 s 136; 2006 c 243 s 21*

Environment and Natural Resources Trust Fund 2012-2013 Request for Proposal (RFP)

ADDITIONAL EXPLANATION OF EVALUATION CRITERIA

- 1. FUNDING PRIORITIES: Responds to RFP funding priorities articulated and adopted by the LCCMR.**
 - How directly does proposal respond to RFP priorities?
- 2. MULTIPLE BENEFITS: Delivers multiple benefits to Minnesota's environment and natural resources.**
 - Would proposed project deliver multiple benefits impacting multiple resources? Would impacts and benefits cross resources or have any crossover effects on other resources? Does proposal line up with multiple funding priorities?
- 3. OUTCOMES: Identifies clear objectives likely to result in measurable, demonstrated, and meaningful outcomes.**
 - Are objectives and outcomes clearly articulated? Are objectives and outcomes feasible? Is proposed project well thought out and planned? Would outcomes provide worthy return on investment? Are outcomes/benefits capable of being evaluated?
- 4. KNOWLEDGE BASE: Contributes to the knowledge base or disseminates information that will benefit other related efforts.**
 - Would proposed project contribute information that is necessary or useful to environment and natural resources efforts? Would it make information more accessible to people that could be aided by using/having the information? Would it increase knowledge amongst a group (e.g., the public) in a way that could impact effectiveness or efficiency of related efforts?
- 5. EXTENT OF IMPACTS: Results in broad, long-term impacts of statewide or regional significance.**
 - How far into the future would benefits extend? How far-reaching and how fairly would outcomes and benefits of proposed project be distributed throughout the state?
- 6. INNOVATION: Employs or demonstrates innovative approaches to more effectively and efficiently solve specific environment and natural resources issues.**
 - Does proposed project offer something new/innovative/outside-the-box? Could proposed project expand/build upon/improve current standards and practices? Is there potential for a "breakthrough" or to learn something important and unknown?
- 7. SCIENTIFIC/TECHNICAL BASIS: Reflects current scientific and technical knowledge, standards, and best practices.**
 - Is proposed project in line with most current knowledge in the field it is proposing to work in? Does proposed project demonstrate knowledge of current scientific and technical understandings? Does project hold up to expert/peer scrutiny?
- 8. URGENCY: Addresses an issue for which immediate future action is urgent and necessary to avoid undesirable consequences.**
 - How urgent is the issue the proposed project aims to address? Is time of the essence? How serious or irreversible are the consequences of a failure to act now?
- 9. CAPACITY AND READINESS: Demonstrates capacity and readiness for efforts to be managed and completed in timely, accountable, and effective manner.**
 - Does organization or project manager appear capable of carrying out what they propose to do? Does the proposed project seem ready to go? Do proposers seem "ready, willing, and able" to carry out the project as proposed?
- 10. LEVERAGE: Leverages collaborative partnerships and additional efforts, resources, and non-state dollars.**
 - Are there partners involved and are the right partners involved? Are there additional non-state dollars or significant in-kind services being brought to the table? Would funding of project generate match dollars? Would match dollars be non-state?
- 11. RESULTING ADDITIONAL EMPLOYMENT: Employs a significant number of additional or new employees or students in natural resources jobs that are direct to the funding request..**
 - Would project create employment opportunities related to natural resources? Would employment opportunities be direct to the funding request? Would project train new natural resource professionals?