



To: HF707 Omnibus Legacy Bill Conference Committee Members

April 28, 2017

Dear Omnibus Legacy Bill Conferees:

On behalf of the undersigned organizations and their hundreds of thousands of Minnesota members, we would like to highlight three provisions in the Omnibus Legacy Finance Bill (HF707) that are of great concern and interest for the environment and conservation communities.

In 2008, 1.8 million Minnesota voters approved the Clean Water, Land & Legacy Amendment, which dedicates 3/8<sup>th</sup> of 1 percent sales tax increase to water quality, land conservation, parks & trails, and arts and culture. Support for the Amendment has grown since its passage, with fully 75% of Minnesotans favoring the Amendment in a recent non-partisan statewide poll.<sup>1</sup>

While we appreciate the work of the committee and countless others to advance conservation projects across the state, **the bill contains provisions which undermine the promise and potential of the Clean Water Land and Legacy Amendment by:**

- I. Breaking with the recommendations of the Clean Water Council and reducing funding for priority drinking water programs, watershed restoration initiatives and agricultural research programs in order to cover a shift in funding for Soil and Water Conservation Districts – funding that the legislature previously committed to providing from the general fund;
  - II. Introducing No Net Gain of Public Lands language that thwarts landowner choices and conservation goals;
  - III. Breaking with the Lessard-Sams Outdoor Heritage Council recommendations and underfunding key wildlife and habitat protection programs.
- I. **Restoring Cuts to the Clean Water Fund:**

**We ask that the Legislature respect the work of the Clean Water Council and adopt their complete set of recommendations for allocation of the Clean Water Fund**

In 2015, legislators agreed to one-time funding for the first two years of base grants to the state's 90 soil and water conservation districts (SWCDs) to pay for administrative costs with

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<sup>1</sup> Statewide poll, with an oversampling of rural Minnesota, conducted February 1 – 5, 2017 by the national bi-partisan polling team of Public Opinion Strategies and Fairbank, Maslin, Maullin, Metz & Associates.

Clean Water Fund money. Legislators promised, and wrote into statute, that future appropriations for SCWDs would come from the general fund:

Session Laws 2015, 1st Special Session, Chapter 4, Article 3, Section 4: “The base [*general fund*] for the board in fiscal year 2018 and thereafter is increased by \$11,000,000 for grants to soil and water conservation districts to implement buffer requirements.”

But both the House and Senate versions go back on this agreement and once again dip into the Clean Water Fund for local government operations.

This \$22 million payment shift from the general fund to the Constitutionally-dedicated Clean Water Fund violates the spirit of the Legacy Amendment, and flagrantly breaks the trust of the millions of Minnesota voters who successfully supported passage and continue to support the Amendment. If the legislature again raids this fund, for the second consecutive time, it is a grave threat to the long-term integrity of the Clean Water Fund.

Each year important and deserving projects go unfunded or *underfunded* simply because there is not enough money available in the Clean Water Fund. Here are some of the clean water priorities that will go unfunded in the next biennium because of this \$22 million shift:

1. **De-funding drinking water protections**

The Senate version reduces or eliminates nearly \$11 million, the House version almost \$9 million, in Clean Water Fund money for several programs that protect Minnesota’s drinking water and groundwater resources. These cuts include:

- \$7.6 million less for Surface, Ground and Drinking Water Protection Grants by the Board of Water and Soil Resources (SF 566)
- \$1.8 million less for Source Water, Groundwater, Drinking Water and Well Protection by the Minnesota Department of Health (SF 566)
- \$650,000 less for Aquifer Monitoring for Water Supply Planning by the Department of Natural Resources (SF 566)

In addition to planned general fund cuts to our environmental agencies, these cuts reduce funding for groundwater and drinking water protection programs that help address urgent drinking water and water supply protection needs across the state.

2. **Cutting funding for the University of Minnesota’s Forever Green Agricultural Initiative.**

The House version includes a \$950,000 reduction in Minnesota Department of Agriculture funding for the University of Minnesota’s Forever Green Agricultural Initiative. The Senate version makes a \$350,000 cut. This innovative initiative is successfully developing new cover and perennial crops that protect water quality, soil health and support habitat and pollinator health while enhancing farm profitability in Minnesota. Both versions represent a significant cut to this program despite its longstanding broad bi-partisan support.

3. **Slowing the pace of watershed restoration.**

Both versions make significant cuts to programs that protect and restore rivers, lakes, streams and wetlands throughout the state. These cuts, which will slow implementation of projects that improve water quality in Minnesota, include:

- \$5.1 million less for Buffer and Soil Erosion Easements and Implementation through the Board of Water Soil Resources (SF 566)

4. **Eliminating vital protection for healthy waters.** With a growing number of degraded waterways, it's critical that we protect those waters that remain in pristine condition. Both versions provide:

- \$2 million less for Aquatic Management Areas through the DNR
- \$1.5 million less for Forests for the Future through the DNR

**II. Removing No Net Gain Provision:**

The House Version includes a No Net Gains of Public Lands provision, applicable in any county that chooses to pass a No Net Gain policy, that also subverts the Legacy Amendment and the will of the voters.

House:	Page R1	Section 9	Lines 32.22 – 33.11
Senate:	None		

This section allows a county board to thwart: (1) a landowner's choice to sell to a willing buyer, that may be offering them their best return, knowing that other state land in the same county would be sold as a result; (2) Minnesotans' present and future state-wide conservation goals; and (3) the will of Minnesota voters, who adopted two constitutional amendments to establish the Minnesota Environment and Natural Resources Trust Fund and the Clean Water, Land, and Legacy funds, which are dedicated, in part, to acquisition of land for conservation purposes. **We urge you to adopt the Senate position.**

**III. Restoring Cuts to the Outdoor Heritage Fund:**

**Major cuts to Scientific Natural Areas, Wildlife Management Areas and Shallow Lakes and Wetland Funding.**

The House version cuts over \$6.4 million in funding for land acquisition in both Wildlife Management Areas (WMA's) and Scientific Natural Areas (SNA's) programs, including Shallow Lakes and Wetlands Protection.

We strongly urge legislators to respect the work of the Clean Water Council and the Lessard Sams Outdoor Heritage Council. These councils include citizens with expertise, legislative members, members from state agencies, the University of Minnesota and the Metropolitan Council. The legislature has traditionally relied on the expertise of these councils to craft science-based, non-partisan Clean Water Fund and Outdoor Heritage Fund recommendations. **We urge you to adopt the Senate position.**

The Legacy Amendment is a bright spot on Minnesota's political landscape – citizens from every political party and every part of the state voted to invest in our Great Outdoors. Please fulfill the Legacy Amendment's promise by abiding its constitutional mandate and the will of the people of Minnesota.

Thank you for your consideration.



Steve Morse  
Minnesota Environmental Partnership

Alliance for Sustainability  
Audubon Chapter of Minneapolis  
Center for Biological Diversity  
Clean Water Action  
CURE (Clean Up the River Environment)  
Friends of Minnesota Scientific & Natural Areas  
Friends of the Boundary Waters Wilderness  
Friends of the Cloquet Valley State Forest  
Friends of the Mississippi River  
Institute for Local Self Reliance  
Izaak Walton League – Minnesota Division  
Land Stewardship Project  
League of Women Voters Minnesota

Minnesota Center for Environmental Advocacy  
Minnesota Conservation Federation  
Minnesota Native Plant Society  
Minnesota Ornithologists Union  
Minnesota River Valley Audubon Chapter  
MN350  
Pesticide Action Network  
Pollinate Minnesota  
Renewing the Countryside  
Save Our Sky Blue Waters  
Transit for Livable Communities  
Water Legacy

