

April 23, 2024

Senate Environment, Climate and Legacy Committee

Re: **SF3887 Article 4 Sections 5 Sub. 2a and 11 Opposition** - Upper Sioux Agency State Park and Historic Site Abolishment as well as surplus declaration and conveyance of Redwood County Land

Dear Senate Environment, Climate and Legacy Members:

We, the undersigned, are opposed to the abolishment of Upper Sioux Agency State Park and Historic Site in Yellow Medicine County (Article 4, Section 5, Subd. 2a) as well as surplus declaration and conveyance language addressing Redwood County land (Article 4, Section 11).

Both sites are unique to multiple Minnesota ethnic groups for their historic events, cultural sense of place, hallowed ground, geologic features, and recreational opportunities – all have coexisted for 60 years and are now freely accessible for religious observation with 2021 state law enacted providing free park permits to tribal members and free passes to all others through a DNR/MN public library program.

Hallowed Ground

Closing the locations and conveying them to tribal governments destroys the religious rights and freedoms provided by Minnesota and US law to human remains and grave visitation. Redwood County land proposed to be declared surplus is down river from the US – Dakota War's Battle of Redwood Ferry along the Minnesota River; three soldiers' remains were never recovered from the area. Proposed surplus land is an outcropping into the Minnesota River downstream from where the fighting took place. The DNR has made no effort to explore the area for remains or artifacts.

Fraudulent Federal Fund Use

Upper Sioux Agency State Park has a following among horseback riders. No replacement property has been documented meeting federal requirements under the Land and Water Conservation Fund Act (LWCF) that requires all recreational land purchased or enhanced with LWCF be replaced with like opportunities. In fact, the MN DNR accepted private funds for trail improvements to Yellow Medicine Trail within the Park with terms that require the trails to be publicly accessible through 2039 (Recreational Trails Program, Federal Highway Administration, 2018, MN Trail Riders Association). The DNR negotiated closure of the park with tribal government while it accepted federal and state funds that required the land be open to public recreational use. Repayment of these funds was not found in 2023 legislation.

Negative Local Impact

Local government was excluded from negotiations. The State has not identified strategies being taken to mitigate the estimated \$1 million economic loss due to park closure. Public meetings

held provided no alternative park operation proposals nor was there any address to conversion suspicions of the recreational land into Indian Trust.

SF3887 Article 4 Section 5 Subd. 2a and Section 11 Removal Recap

SF3887 Article 4 Section 5 Subd. 2a seeks to abolish a known historic site related to the suffering of Minnesotans, Native and Non Native. SF3887 Article 4 Section 11 seeks to remove hallowed ground from the protection of state and federal regulation knowing the area's potential to contain soldiers killed at the Battle of Redwood Ferry.

Show respect to all Minnesotans with removal of Article 4's Sections 5 Subd. 2a and Section 11 from SF3887 (A7).

Thank you,

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