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January 22, 2025

To: Senator Justin D. Eichorn and Senator Fong Hawj, Co-Chairs
Minnesota Senate Committee on Environment, Climate, and Legacy
Minnesota Senate Building, St. Paul, MN 55155

Subject: Senate File 106 - Oppose

Dear Chairs Eichorn and Hawj, and Members of the Senate Committee on Environment, Climate, and Legacy:

On behalf of nearly 50,000 Ducks Unlimited members in Minnesota and 23 Ducks Unlimited conservation staff living and working in Minnesota, I'm writing to express great concern about Senate File 106 as it constrains and restricts the spending of Legacy Amendment funds to protect, restore, and enhance Minnesota's wetlands and prairies for both wildlife and the public.

The additional requirements proposed in this bill for Outdoor Heritage Fund (OHF) appropriation recipients delivering restoration and enhancement projects are problematic and unnecessary for several important reasons. First and foremost, it is already illegal to damage or trespass on private properties adjacent to public lands and private lands under permanent conservation easement where OHF projects are delivered (as required by state OHF statute).

Second, requiring public meetings for any/all OHF restoration and enhancement projects would add huge and unnecessary staff burdens, costs, and delays to project implementation, and is simply unnecessary in most cases. As required by state OHF statute, OHF projects are required to be implemented on public lands and waters, or private lands under permanent conservation easement. Our OHF projects are implemented in partnership with state and federal government agencies who own and manage those public lands and waters, and public meetings are held as state and federal agency leaders determine appropriate and/or are required by law, depending on the scope, scale, and significance of the project. Most OHF restoration projects are very small and simply do not warrant public discussion, whereas public meetings are often already held for the relatively few large projects that affect large areas and many stakeholders.

For example, this bill would require many days/weeks of partner and agency staff time and thousands of dollars of expense to conduct risk assessments and hold public meetings for relatively simple OHF projects that remove invasive plants or restore small wetland ponds on federal Waterfowl Production Areas in rural western Minnesota that may take a day or two and only cost a few thousand dollars of an OHF appropriation to complete, thus being completely disproportionate to the public benefit of a public meeting requirement. Similarly, state and federal risk assessments and public meetings are already routinely held when implementing large-scale projects on public lands or waters, such as shallow lake enhancement projects requiring M.S. 103G.408 or 97A.101 lake designation that affect large public water areas and many stakeholders.

With these concerns in mind, we urge you to oppose and not pass Senate File 106 so that recipients of state OHF appropriations can continue to implement restoration and enhancement projects in a timely and efficient manner as taxpayers expect. Thanks for your consideration of our concerns.

Sincerely,



Jon P. Schneider, Senior Manager of Conservation Programs – Minnesota

Copies: Mark Johnson, Executive Director - Lessard-Sams Outdoor Heritage Council
Kyle Rorah, Director of Public Policy – Ducks Unlimited Great Lakes Region