

# Legislative Purpose Unfulfilled

Minnesota Scientific and Natural Area Commissioner's Orders- 2011-2019

Revised - October 23, 2019

Compiled by:

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## Introduction and Executive Summary

Minnesota's Scientific and Natural Areas (SNAs) "... are exceptional places where native plants and animals flourish; where rare species are protected; and where we can know, and study, Minnesota's fascinating natural features." Presently, there are 168 SNAs, totaling over 190,000 acres. [Minnesota Department of Natural Resources (DNR) website: <https://www.dnr.state.mn.us/snap/snap50.html> - last visited 10/17/19.]

The DNR website, cited above, states: "A lot has changed over these 50 years but the **vision** for Scientific and Natural Areas **remains as true today as it was then**: 'A state scientific and natural area shall be established to protect and perpetuate in an undisturbed natural state those natural features which possess exceptional scientific or educational value.'" (Emphasis added.)

The "vision" may not have changed; but the reality is much different.

This paper is a synopsis of what happened to Minnesota's Scientific and Natural Areas Program from 2011-2019, based on a review of DNR "Commissioner's Orders", legal documents governing the activities allowed within a particular SNA.

The activities stated in the **red font text** portion of the Commissioner's Orders are **incompatible uses** that **do not comply with the legal purpose for which the scientific and natural program was established** – i.e. "... to protect and perpetuate in an undisturbed natural state those natural features which possess exceptional scientific or educational value." (Minnesota Statute 86A.05, Subd. 5 and quoted by the DNR above.)

**79.5%** of the DNR Commissioner's Orders (39 out of 49), signed between January 6, 2011 and July 30, 2018, **contain one or more incompatible use, contrary to Minnesota law.**

Three Commissioner's Orders are pending: (1) a proposal to **de-designate a portion** of Mississippi River Islands SNA to allow camping; (2) a proposal to **build a 1,000-foot road and parking lot** within Prairie Smoke Dunes SNA; and (3) a proposal to **sell** a portion of the Whitney Island SNA.

Friends of Minnesota Scientific and Natural Areas is on record opposing these proposals.

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Finally, after an **unnecessarily protracted** Government Data Practices Act request, the DNR provided four documents evidencing the proposed acquisition of two parcels: (1) Purrington Prairie in Cottonwood County; and (2) unnamed property within Goodhue County. The DNR has not stated the proposed uses on these parcels. Furthermore, **the DNR has not established a written policy to allow the public the opportunity to provide meaningful comment on the proposed acquisition – and compatible uses – prior to the DNR's decision.**

Therefore, without the opportunity for meaningful public comment, **future SNA acquisitions are at risk of incurring incompatible uses in the DNR Commissioner's Orders.**

## **Scientific and Natural Areas – Legislative Purpose**

Minnesota Statute 86A.05, Subdivision 5 states:

“Subd. 5. State scientific and natural areas; purpose; resource and site qualifications; administration; designation. (a) A state scientific and natural area shall be established to **protect and perpetuate in an undisturbed natural** state those natural features which possess exceptional scientific or educational value. [Emphasis added.] ...

(c) State scientific and natural areas **shall be administered** by the commissioner of natural resources, in consultation with qualified persons, in a manner which is **consistent with the purposes of this subdivision to preserve, perpetuate and protect from unnatural influences** the scientific and educational resources within them. Interpretive studies may be provided for the general public. Physical development shall be limited to the facilities absolutely necessary for protection, research, and educational projects, and, where appropriate, for interpretive services. [Emphasis added.]

## **Background**

**May 16, 1969:** Minnesota Legislature enacted a law to allow the DNR to acquire, establish, and maintain SNAs. (Chapter 470, 1969 Session Laws.)

**1974: Rush Lake Island**, a 21-acre island in Rush Lake in Chisago County, is established as the **first SNA**. [It was acquired in 1971 and continues to be a heron rookery.]

**January 3, 2011: Mark Dayton takes office as Minnesota's Governor.**

**January 6, 2011: Tom Landwehr is appointed by Governor Dayton as Commissioner of the DNR.**

## **2011 - Commissioner's Orders**

[In particular, please note the quoted **red font** text in all Commissioner's Orders below.]

**June 27, 2011:**

Commissioner's Order #213: establishing **Clinton Falls Dwarf Trout Lily SNA**

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“... Clinton Falls Dwarf Trout Lily Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities. **IT IS FURTHER ORDERED** that the provisions of *Minnesota Rules* 6136.0100 through 6136.0600 shall apply to the above designated area, except **access by watercraft** is allowed with such limitations as the Commissioner determines are necessary for the protection of the values for which the site was designated.”

Commissioner's Order #214, establishing **Myhr Creek Ridge SNA in Cook County**

“... except that the following uses will be permitted with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: picnicking, **dogs, picking edible berries for non-commercial purposes, and hunting in seasons for protected game species.**”

Commissioner's Order #215, establishing adding to **Mound Prairie SNA** in Houston Co.

“... except that the following uses will be permitted with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **dogs, and on Parcel 1 hunting during the legal open season.**”

Commissioner's Order #216, establishing **LaSalle Lake SNA** in Hubbard Co.

“... except that the following uses will be permitted with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **hunting, fishing, trapping, access by watercraft, non-commercial berry-picking, dogs under control for hunting purposes during regular season, and dogs on leashes.**”

Commissioner's Order #217, adding to **Savage Fen SNA** in Dakota Co.

“... except that the following uses will be permitted with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **fishing, hunting by archery and other special hunts, and the construction by the City of Savage (or its designee) of a non-motorized trail for use by bicycles and pedestrians on a specified alignment, and dogs on leashes and picnicking** within the trail corridor in conjunction with use of a constructed trail.”

Commissioner's Order #218, establishing **Morton Outcrops SNA** in Redwood Co.

“... except that the following uses are allowed with such limitations as necessary to ensure protection of the resources for which the Scientific and Natural Area is designated: **an existing pedestrian and bicycle trail** within an access easement retained by the Minnesota Valley History; and a Minnesota Valley History Learning Center and SNA **cultural-ecological rustic interpretive trail and associated facilities for pedestrian use** only including interpretive and direction signage along a specified alignment.”

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Commissioner's Designation Order #219, adding to **Two Rivers Aspen Parkland SNA**, Roseau County, MN. Parcel size: 1,394.15 acres, more or less. Supersedes Commissioner's Order #155[35 State Register 2036; June 27, 2011] "... except that the following uses will be permitted with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **dogs and public hunting** during the open season subject to all applicable laws and regulations, and an **existing snowmobile trail** on a specified alignment."

Commissioner's Order #220, adding to **Blanket Flower Prairie SNA** in Clay Co. "... except that the following uses will be permitted with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated."

Commissioner's Order #221, adding to **Hastings Sand Coulee SNA** in Dakota Co. "... except an **existing snowmobile trail** is allowed to run along a specified alignment within Hastings Sand Coulee Scientific and Natural Area with such limitations as necessary to ensure protection of the resources for which the Scientific and Natural Area is designated; and except the **City of Hastings is allowed to retain and manage their stormwater management pond and accessway** within the perpetual drainage, utility, and access easement granted to the City."

Commissioner Order #222 established **Blaine Preserve SNA** in Anoka County, MN. [No mention of public hunting.]

**November 21, 2011:** Commissioner's Order 223, **de-designating Black Dog Preserve SNA.**

## **2012- Commissioner's Orders**

### **August 20, 2012:**

Commissioner's Designation Order #224, designating **Twin Lakes SNA** in Isanti Co., MN. 47.9 acres, more or less. "... except that **hunting will be allowed only by special permit as needed to control wildlife populations** to prevent damage to the native or restored plant community and **fishing** will be allowed within the Scientific and Natural Area with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated."

Commissioner's Designation Order #225, designating **Mound Spring Prairie SNA** in Yellow Medicine Co., MN. 625 acres, more or less. "... except that the following uses will be allowed with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **hunting, trapping, and dogs under control for hunting purposes during the regular season.**"\*

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[\*Note: The former Commissioner's Order for the above SNA did **not** include incompatible uses.]

Commissioner's Designation Order #226, adding land to **LaSalle Lake SNA**, in Hubbard Co. "... except that the following uses will be permitted with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **hunting, fishing, trapping, access by watercraft, non-commercial berry-picking, dogs under control for hunting purposes during regular season, dogs on leashes, and a non-motorized, unpaved, minimum-width rustic interpretive trail** to the confluence of the Mississippi River and LaSalle Creek, a trailhead for this trail, and a minimally developed overlook at the confluence."

#### **October 8, 2012:**

Commissioner's Designation Order #227, superseding Commissioner's SNA Order #180, regarding **Pine Bend Bluffs SNA** in Dakota Co. 320 acres, more or less. except that the following uses will be permitted with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: the construction and management by Dakota County (or its designee) of a **nonmotorized trail** for use by bicycles, pedestrians, and authorized mobility disability devices on a specified alignment; the construction and management by Dakota County (or its designee) of a **trail head facility including picnicking, picnic shelter and picnic tables, refuse containers, historical marker, restroom facilities**, and other facilities approved by the Department within the area specified for the trail head; up to **two overlook areas** with interpretive features and sitting wall; and **dogs on leashes** within the trail corridor or at the trail head facility."

Commissioner's Designation Order #228, establishing **Mille Lacs Moraine SNA** in Crow Wing Co. 320 acres, more or less. "... except that shall be open to **hunting (including with dogs), fishing, and dogs under control**, with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated."

#### **December 3, 2012:**

Commissioner's Designation Order #229, designating **Potato Lake SNA** in Itasca County, MN. Parcel size: 84 acres, more or less. "... except that continued use of a **timber haul trail** located in the SE of NW of SW, S7, shall be permitted by persons issued a Road Access Permit, and **the Forest Roads known as Horseshoe Forest Trail and minimum maintenance road # 133 will remain open to motorized use, boats may be transported by non-motorized means from the parking area to a designated place on the lake shore**, and the area shall be open to **hunting (including with dogs), shore fishing and dogs under**

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**control**, with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated.” [37 State Register 906; December 10, 2012.]

Commissioner's Designation Order #230, designating **Little Two Much Lake SNA** in Itasca County, MN. Parcel size: 57.45 acres, more or less. "... except that **boats may land** at a specified place on the lake shore and the area shall be **open to hunting (including with dogs) and dogs under control**, with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated. [37 State Register 907; December 10, 2012.]

## **2013 – Commissioner's Orders**

### **January 4, 2013:**

Commissioner's Order #231, superseding Commissioner's Order 230 regarding **Little Two Much Lake SNA** in Itasca County "... except that boats may land at a specified place on the lake shore and the area shall be open **to fishing, hunting (including with dogs) and dogs under control**, with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated.” [Note: The DNR **added fishing** in this Order.]

### **April 1, 2013:**

Commissioner's Designation Order #232, designating **Cedar Rock SNA** in Redwood Co., MN. Parcel size 62 acres. "except that **hunting, trapping, and dogs** under control are allowed (with the condition that dogs are only allowed on leash from April 16 through July 14) with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated.”

### **May 29, 2013:**

Commissioner's Designation Order #233, designating **Yellow Bank Hills SNA** in Lac Qui Parle County, MN. Parcel size: 78 acres, more or less. Note: allowed uses also include: **hunting, trapping, and dogs under control for hunting purposes**. [37 State Register 1850; June 24, 2013.]\*

[\*Note: The former Commissioner's Order for the above SNA did **not** include incompatible uses.]

Commissioner's Designation Order #234, designating **Prairie Coteau SNA** in Pipestone County, MN. Parcel size: 419.8 acres, more or less. Note: allowed uses also include: **hunting, trapping, and dogs under control for hunting purposes**. [37 State Register 1851; June 24, 2013.]\*

[\*Note: The former Commissioner's Order for the above SNA did **not** include

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incompatible uses.]

#### **August 26, 2013:**

Commissioner's Designation order #235, adding to **Savage Fen** "... following uses will be permitted with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **fishing, hunting by archery and other special hunts**, and the construction by the City of Savage (or its designee) of a **non-motorized trail for use by bicycles and pedestrians on a specified alignment, and dogs on leashes and picnicking within the trail corridor** in conjunction with use of a **constructed trail**."

#### **September 16, 2013:**

Commissioner's Designation Order #236, adding to **Burnside Islands SNA**. 71 acres, more or less. "... except that **access by watercraft** is allowed with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated."

#### **December 16, 2013:**

Commissioner's Designation Order #237, adding to **Hovland Woods SNA** "... except that the following uses are allowed with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated:

1. **Public hunting** during legal open seasons,
2. **Dogs**,
3. **Picking edible berries** for non-commercial purposes,
4. **Picnicking**,
5. **Use by bicycles, snowmobiles, and off-highway vehicles** registered under *Minnesota Statutes*, sections 84.788, 84.82, and 84.922 (off-highway motorcycles, **snowmobiles**, and class 1 and class 2 all-terrain vehicles) is authorized on the Boyd Road ATV Road and the Stevens Lake Access Route, and
6. **Use bicycles, snowmobiles, and motor vehicles** registered under *Minnesota Statutes*, chapter 168 and sections 84.788, 84.798, 84.82, and 84.922 (highway-licensed vehicles, off-highway motorcycles, off-road vehicles, snowmobiles, and class 1 and class 2 all-terrain vehicles) is authorized on the Tom Lake/Tower Road."

Commissioner's Designation Order #238, adding to **Pembina Trail SNA** in Polk Co. "... the Pembina Trail Scientific and Natural Area is designated as a Public Use unit, open to the public for nature observation and general educational and research activities.

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## **2014 – Commissioner's Orders**

### **November 3, 2014:**

Commissioner's Designation Order #239, establishing **Badoura Jack Pine Woodland SNA** in Hubbard Co. 900 acres, more or less. "... except that the area will be open to **hunting, trapping, and berry-picking** with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated."

Commissioner's Designation Order #240, adding to **St. Wendel Tamarack Bog SNA** in Stearns Co. 650 acres, more or less. "... except that the area will be open to **hunting** with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated."

## **2015 – Commissioner's Orders**

### **February 9, 2015:**

Commissioner's Designation Order #241, designating **Lake Alexander Woods SNA**. "... except that (1) Tracts 1, 5, 9, and 10 will be **open to all deer hunting** seasons, (2) Tracts 4, 11, and parcels in Tracts 6 and 7 lying east of Lawrence Drive or adjacent to Tract 4 will be open to **deer hunting by archery only** (see attached Exhibit A), (3) **unprotected species may not be taken at any time**, and (4) other limitations may be invoked as the Commissioner determines necessary for protection of the values for which the site was designated."

Commissioner's Designation Order #242, designating Minnesota Pine Point SNA in St. Louis County, MN. Parcel size: 18.9 acres, more or less. Supersedes SNA Order #174. Note: designates "... the area will be **open to dogs on leash and with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated.**" [39 State Register 1177; February 9, 2015.]

Commissioner's Designation Order #243, designating **Blanket Flower Prairie SNA** in Clay County, MN. Parcel size: 564 acres. Supersedes SNA Order #220. Note: designates "... the area will be open "... open to the public for nature observation and general educational and research activities." [39 State Register 1178; February 9, 2015.]

Commissioner's Designation Order #244, designating **Hastings Sand Prairie SNA** in Dakota County, MN. Parcel size: 564 acres. Supersedes SNA Order #220. Note: designates "... the area will be open "... open to the public for nature observation and general educational and research activities." [39 State Register 1178; February 9, 2015.]



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#### **June 29, 2015:**

Commissioner's Order #245, designating **Antelope Valley SNA**. Parcel size: 160 acres. "... the following uses will be allowed with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **hunting, trapping, and dogs** under control for hunting purposes during the regular season."

## **2016 – Commissioner's Orders**

#### **February 8, 2016:**

Commissioner's Designation Order #246, designating **Brownsville Bluff SNA** in Houston County, MN. Parcel size: 286 acres. "... the following uses will be allowed with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated: **outside of the sanctuary deer hunting** is permitted during the regular season and the **existing snowmobile trail** may be used by snowmobiles under snow-cover conditions."

Commissioner's SNA Order #247, designating **Crystal Spring SNA** in Washington County, MN. "... that the Commissioner may decide to allow hunting if and when **documented ecological needs arise** that can best be resolved by **hunting** with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated."

#### **August 22, 2016:**

Commissioner's SNA Order #248, designating **River Warren Outcrops SNA** in Renville County, MN "... **horse trail following a specified alignment under easement and consistent with the horse hail management plan, fishing, hunting, trapping, and dogs under control for hunting purposes during the regular season ...**"

[**Note: This acquisition, as an SNA, was opposed by Friends of MN Scientific and Natural Areas in a letter to the DNR dated March 11, 2016.**]

## **2017 – Commissioner's Orders (1 pending)**

#### **January 17, 2017:**

Commissioner's SNA Order #249, adding land to **Iron Springs Bog SNA** in Clearwater County, MN. (Supersedes SNA Order #29, dated March 1, 1983.) "... except that the following uses will be allowed with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **deer hunting and trout fishing** during the regular season."

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#### **June 12, 2017:**

Commissioner's SNA Order #250 – **Blanket Flower Prairie SNA**. [Supersedes SNA Order] "... open to the public for nature observation and general educational and research activities."

Commissioner's SNA Order #251 – **Lawrence Creek SNA – new**

"... the following uses will be allowed with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated: **fishing without live bait and outside of the sanctuary, archery hunting is permitted during the regular season.**"

Commissioner's SNA Order #252 – **Cannon River Turtle SNA**

"... the following uses will be allowed with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated: **dogs and hunting during the regular season except that hunting is prohibited on the sandbars posted as closed from May 1 to October 1 to protect breeding and nest sites of turtles.**"

Commissioner's SNA Order #253 – **Harry W. Cater Homestead SNA – new**

"... open to the public for nature observation and general educational and research activities."

Commissioner's SNA Order #254 – **River Terrace Prairie SNA – new**

"... open to the public for nature observation and general educational and research activities."

Commissioner's SNA Order #255 – **Big Island SNA** [supersedes #120]

"... the following uses will be allowed with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **public waterfowl hunting (using dogs) and shore fishing during the regular season.**"

#### **June 14, 2017:**

Public hearing on proposal that a "**parcel of land be removed from Mississippi River Islands SNA** due to historical use of this parcel as a campsite and the inconsistency of his use with activities allowed in SNAs." **Decision Pending**. Opposed by Friends of MN SNAs and Minnesota Native Plant Society.

#### **September 18, 2017:**

Commissioner's SNA Order #256 – **Watrous Island SNA – new**

"the following uses will be allowed with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated: **fishing, hunting, trapping, dogs under control or on leash, swimming, and access by watercraft.**"

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Commissioner's SNA Order #257 – **Lake Bronson SNA** [supersedes #138]

“... open to the public for nature observation and general educational and research activities”

Commissioner's SNA Order #258 – **Burnside Islands SNA** [supersedes #236]

“... **access by watercraft** is allowed with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated.”

## **2018 – Commissioner's Orders (1 pending)**

### **February 5, 2018:**

Commissioner's SNA Order #259 – **Uncas Dunes SNA**. “... the following uses will be allowed with such limitations as the Commissioner determines are necessary for protection of the values for which the site was designated: **dogs are permitted, public hunting is permitted** during the open season subject to all applicable laws and regulations, and **snowmobile and horseback riding are permitted, but restricted to the single trail** designated and posted for that purpose along the portion of Sherburne County snowmobile trail #209 which crosses the northern unit of Uncas Dunes SNA located in Sections 21 and 28, Township 34 North, Range 27 West, as shown on Exhibit A. In addition, **local residents are eligible to apply for a special use permit that will allow them to access the main horse trail system** via a posted, but unmaintained access trail that will run from 245th Avenue NW to the main trail system as shown in Exhibit A. Horseback riding on this access trail will be limited to permitted riders only. Special use permits will be limited to local residence who ride their horses from their residence to the access point off of 245th Avenue NW.”

### **July 30, 2018:**

Commissioner's SNA Order #260 **Spring Beauty Northern Hardwoods SNA** **[addition]** “... except that the following uses will be allowed with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **public hunting in seasons for protected game species, picnicking, picking edible berries for non-commercial purposes, and dogs.**”

Commissioner's SNA Order #261- **Mississippi Oxbow SNA** [new]

“... following uses will be allowed with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **public hunting, trapping, fishing, dogs on a leash or under control, swimming, and watercraft access.**”

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#### **Commissioner's SNA Order #262 - Dinner Creek SNA [new]**

“... following uses will be allowed with such limitations as Commissioner determines are necessary for protection of the values for which the site was designated: **hunting, trapping, and dogs under control for hunting purposes during the regular season**, and **snowmobiles on the snowmobile trail** whose location is indicated on the attached map.”

#### **October, 2018:**

**Prairie Smoke Dunes SNA** – proposed to **construct 1,000-foot access road and parking lot**. Friends of MN SNAs and MN Native Plant Society submitted comments opposing the proposal. **Decision pending**.

### **2019 – Commissioner's Orders (1 pending)**

#### **January 7, 2019:**

Tim Walz assumes office as Minnesota's 41st Governor.

Sarah Strommen, appointed by Governor Walz, assumes position as Commissioner of the Department of Natural Resource.

#### **April, 2019:**

The DNR announced a proposal to **sell** a portion of **Whitney Island SNA**. **A decision is pending**. Friends of MN SNAs wrote letter in opposition.

#### **April 28, 2019 – September 27, 2019:**

After an unnecessarily protracted Government Data Practices Act request, taking **almost 5 months**, Friends of Minnesota SNAs finally received four documents regarding two proposed SNAs:

1. Purrington Prairie SNA, in Cottonwood County;
2. An unnamed parcel in Goodhue County.

The DNR has not stated the proposed uses and has not provided an update. There is no written policy that provides the public an opportunity to provide meaningful comment on the proposed acquisition – or compatible uses - prior to the DNR's decision.

### **Other Statutes**

**Minnesota Statute 97A.093** states, “Except as otherwise provided by law, scientific and natural areas are closed to hunting, trapping, and fishing unless:

- “(1) the designating document allows hunting, trapping, or fishing; or
- “(2) the commissioner allows hunting, trapping, or fishing in accordance with the procedure in section 86A.05, subdivision 5, paragraph (d).”

This statute does not negate the requirement that the activity must comply with the statutory purposes as stated in Minnesota Statute 86A.05, Subd. 5, cited above. Reading the

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statutes together, Commissioner's Designation Orders should prohibit hunting, trapping, and fishing unless a documented ecological need arises and there is no feasible and prudent alternative consistent with purpose of the SNA program.

## **Summary**

**79.5%** of the DNR Commissioner's Orders (39 out of 49), signed between January 6, 2011 and July 30, 2018 (the most recent Commissioner's Order), **contain one or more incompatible use** (highlighted in **red font text**), **contrary to Minnesota law.**

Furthermore, three Commissioner's Orders are pending: (1) a proposal to **de-designate a portion** of Mississippi River Islands SNA to allow camping; (2) a proposal to **build a 1,000-foot road and parking lot** within Prairie Smoke Dunes SNA; and (3) a proposal to **sell** a portion of the Whitney Island SNA. Friends of Minnesota Scientific and Natural Areas is on record opposing these proposals, stating that the **proposals are contrary to Minnesota law.**

Finally, after an **unnecessarily protracted** Government Data Practices Act request, the DNR provided four documents evidencing the proposed acquisition of two parcels: (1) Purrington Prairie in Cottonwood County; and (2) unnamed property within Goodhue County. The DNR has not stated the proposed uses on these parcels. Furthermore, **the DNR has not established a written policy to allow the public the opportunity to provide meaningful comment on the proposed acquisition – and compatible uses – prior to the DNR's decision.**

Therefore, without the opportunity for meaningful public comment, **future SNA acquisitions are at risk of incurring incompatible uses in the DNR Commissioner's Orders.**