April 24, 2017

Dear Members of the Minnesota Senate:

We, the undersigned organizations and the citizens we represent, respectfully ask you to support any amendments to the Senate Legacy Omnibus Bill (S.F. 566) to restore the Clean Water Council Recommendations.

In 2008, 1.8 million Minnesota voters approved the Clean Water, Land & Legacy Amendment, which dedicates 3/8th of 1 percent sales tax increase dedicated 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.¹

While we appreciate the work of committee members to bring this year’s Legacy bill to the floor early in the session, the bill in its current form undermines the promise of the Clean Water Land and Legacy Amendment by:

- Raiding more than 10% of the annual appropriations from the Clean Water Fund to pay for general fund cuts to base Soil & Water Conservation District operations, violating the spirit of the Amendment and the Legislature’s 2015 promise to taxpayers as laid out in law; and
- Reducing funding for priority drinking water programs, watershed restoration initiatives and agricultural research programs that hold great promise for restoring Minnesota’s waters.

Raiding the Clean Water Fund

The most contentious provision in S.F. 566 shifts $22 million in base grants to the state’s 90 soil and water conservation districts (SWCDs) from the General Fund to the Clean Water Fund for administrative costs to help landowners comply with the buffer law. When the buffer law was enacted in 2015, legislators agreed to one-time funding for the first two years of this work with Clean Water Fund money, with the promise that future appropriations for SCWDs would come from the general fund.²

The House bill reneges on this agreement and once again dips into the Clean Water Fund for buffer implementation funding. This 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.

¹ 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.

² 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.”
Cuts to Priority Clean Water Programs
In order to pay for this $22 million shift, the House makes a number of cuts to priority clean water programs recommended by the Clean Water Council. These cuts undermine Minnesota’s progress toward our clean water goals. These cuts include:

1. De-funding drinking water protections
S.F. 566 reduces or eliminates nearly $11 million in Clean Water Fund money for several programs that protect Minnesota’s drinking water and groundwater resources. These cuts include:
   a. $7.6M less for Surface, Ground and Drinking Water Protection Grants by the Board of Water and Soil Resources
   b. $1.8M less for Source Water, Groundwater, Drinking Water and Well Protection by the Minnesota Department of Health
   c. $650,000 less for Aquifer Monitoring for Water Supply Planning by the Department of Natural Resources

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.
S.F. 566 includes $350,000 less in Minnesota Department of Agriculture funding for the University of Minnesota’s Forever Green Agricultural Initiative. 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. S.F. 566 represents a significant cut to this program despite its longstanding bi-partisan support.

3. Slowing the pace of watershed restoration
S.F. 566 makes several 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:
   a. $5.1 M less for Buffer and Soil Erosion Easements and Implementation through the Board of Water Soil Resources

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.
   a. $2 M less for Aquatic Management Areas through the DNR
   b. $1.5 M less for Forests for the Future through the DNR
We strongly urge legislators to respect the Clean Water Fund recommendations of Minnesota’s 28-member Clean Water Council. The Council includes citizens with water resources expertise, legislative members, members from state agencies, the University of Minnesota and the Metropolitan Council. The legislature has traditionally relied on the expertise of the Clean Water Council to craft science-based, non-partisan Clean Water Fund recommendations.

This bill turns a deaf ear to the Minnesotans who expect the Clean Water, Land and Legacy Amendment dollars to be strategically invested for maximum long term return for Minnesota’s Great Outdoors and that the existing citizen process will be honored. Please vote to support any amendments to S.F. 566 that restore the Clean Water Council recommendations.

Steve Morse
Minnesota Environmental Partnership

Alliance for Sustainability
Audubon Chapter of Minneapolis
Center for Biological Diversity
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
Lower Phalen Creek Project

Minnesota Center for Environmental Advocacy
Minnesota Conservation Federation
Minnesota Native Plant Society
Minnesota Ornithologists Union
Minnesota River Valley Audubon Chapter
MN 350
Pesticide Action Network
Pollinate Minnesota
Renewing the Countryside
Save Our Sky Blue Waters
Transit for Livable Communities