



To: Governor Tim Walz and Lt. Governor Peggy Flanagan  
Speaker Melissa Hortman  
Majority Leader Paul Gazelka  
Members of the Environment and Natural Resources Conference Committee

Re: **Remaining provisions that help or hurt the health of our environment and people**

May 21, 2019

Dear Legislative Leaders:

Thank you for your continued work on these issues. This letter outlines priorities and concerns that remain under discussion on the Environment and Natural Resources Omnibus bill.

Agreements already made include two provisions the environment and conservation community opposes because they roll back existing laws that prevent unnecessary degradation:

- **Expanded exemption from protecting endangered plant species on public road rights-of-way**
- **Allowing the transfer of potentially polluted water from one water body to another without a permit.**

Our focus here is to champion important provisions that would help address the rising challenges we face.

**Please include** the following found in both the Senate and House versions of SF 2314:

**Prohibiting the use of neonicotinoid insecticides in Minnesota's Wildlife Management Areas.**

Senate: 3<sup>rd</sup> Engrossment, Article 3, Section 47

House: Unofficial Engrossment, Article 2, Section 41

(page R44 of the side-by-side)

“A person may not use a product containing an insecticide in a wildlife management area if the insecticide is from the neonicotinoid class of insecticides.” This provision gives pollinators, birds, and aquatic invertebrates a safe haven by prohibiting through state law the use of a class of insecticides that is not only highly lethal to pollinators but is widely used in much of the state.

SPECIAL NOTE: We would like to thank all 67 Senators who voted for this language with a 5-year sunset provision. (This section expires June 30, 2024.) As grateful as we are to have received this strong support we are supporting the permanent version as passed in the House without the sunset provision. We ask you to take the House position.

**Also please include** the following provisions found in the House version of SF 2314:

**Establishing a “Lawns to Legumes” cost share program to increase backyard forage for pollinators.**

Unofficial Engrossment, Article 1 Section 4 (n)

Provides \$387,000 the first year and \$250,000 the second year to provide grants for up to 75% of the cost of a project planting residential lawns with native vegetation and pollinator-friendly forbs and legumes. Residential areas that have a high potential for serving as habitat for the endangered rusty patched bumble bee may receive a grant for up to 90% of the cost of the project.

**Reinstating public participation in decisions before the Pollution Control Agency.**

Unofficial Engrossment, Article 2, Section 90

The PCA’s Citizen’s Board, in existence for forty years, was eliminated in the late night hours of the final day of the legislative session in 2015. The Citizen’s Board allowed for democratic participation in the decision making on the environmental issues facing our communities. Its elimination has meant a loss of citizen input on important matters before the PCA.

**Establishing a voluntary certification program for salt applicators and limiting liability.**

Unofficial Engrossment, Article 2, Section 96

Minnesota’s waters are increasingly becoming permanently contaminated with salt residue from deicing road and walkways. This provision establishes a voluntary training program on best practices for deicing. A certified applicator would not be liable when best management practices for snow and ice removal and deicing were used.

**Please do not include** the following provisions that remain under discussion and are found in the Senate version of SF 2314:

**Wild Rice Stewardship Council**

3<sup>rd</sup> Engrossment, Article 3, Section 15: (Page R12 of Side-by-Side for Article 3)

The issue of wild rice is an appropriate subject for government-to-government consultation between the State of Minnesota and sovereign native governments, and the choice to include the Wild Rice Stewardship Council in SF 2314 would undercut this consultation. Until such consultation is completed, the Legislature should not act.

The State of Minnesota currently has a water quality standard for the protection of wild rice. Creation of this Wild Rice Stewardship Council will likely extend the delay in enforcement of the standard and continue the harm to wild rice and its surrounding ecosystems.

**Allowing industry 16 years to meet water quality standards.**

3<sup>rd</sup> Engrossment, Article 3, Section 112: (Page R86 of Side-by-Side for Article 3)

This section gives industry a blanket 16-year exemption from complying with any new water quality standards that may be developed, if the industry previously invested in wastewater treatment upgrades.

**Interfering with science-based forest management at Sand Dunes State Forest.**

3<sup>rd</sup> Engrossment, Article 3, Section 135: (Page R123 of Side-by-Side for Article 3)

This section does an end run around the existing well-established, science-based forest planning process that already includes the involvement of local citizens and representatives. This section revokes the authority to restore any part of the forest to native oak savannah, of which less than 1% of Minnesota’s original oak savannah forest remains.

*Please accept the House position and do not include this provision.*

In addition to the policy provisions outlined above, we have serious concerns about unconstitutional efforts to raid dedicated funds.

**Please do not include two proposed shifts from LCCMR-approved projects for:**

- State Park Operations
- Wastewater Treatment Grants

Thank you for your consideration of these important provisions. We appreciate your work to build a strong SF 2314 that will protect Minnesotans and the land and waters we call home.

Sincerely,



Steve Morse  
Executive Director

Alliance for Sustainability  
A.C.E.S. (Austin Coalition for Environmental Sustainability)  
CURE (Clean Up Our River Environment)  
Clean Water Action- Minnesota  
Environment Minnesota  
Friends of the Cloquet Valley State Forest  
Friends of the Minnesota Scientific and Natural Areas  
Friends of the Mississippi River  
Friends of the Parks and Trails of St. Paul and Ramsey County  
Izaak Walton League - Minnesota Division  
Land Stewardship Project  
Lutheran Advocacy – Minnesota  
Mankato Area Environmentalists

Minnesota Native Plant Society  
Minnesota Ornithologists Union  
MN 350 Action  
Pesticide Action Network  
Renewing the Countryside  
Save our Sky Blue Waters  
Sierra Club – North Star Chapter  
St. Croix River Association  
Wilderness in the City

cc: Sarah Strommen, Commissioner, Department of Natural Resources  
    Laura Bishop, Commissioner, Minnesota Pollution Control Agency  
    John Jaschke, Commissioner, Board of Water and Soil Resources